

HOUSE JOURNAL

SEVENTY-EIGHTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

FIFTY-FOURTH DAY — WEDNESDAY, APRIL 23, 2003

The house met at 10 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 317).

Present — Mr. Speaker; Allen; Alonzo; Bailey; Baxter; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Canales; Capelo; Casteel; Castro; Chavez; Chisum; Christian; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Dawson; Delisi; Denny; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Ellis; Farabee; Farrar; Flores; Flynn; Gallego; Garza; Gattis; Geren; Giddings; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Gutierrez; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Heflin; Hegar; Hilderbran; Hill; Hochberg; Hodge; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Isett; Jones, D.; Jones, E.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Lewis; Luna; Mabry; Madden; Marchant; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Mercer; Merritt; Miller; Morrison; Mowery; Naishtat; Nixon; Oliveira; Olivo; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Stick; Swinford; Talton; Taylor; Telford; Thompson; Truitt; Turner; Uresti; Van Arsdale; Villarreal; West; Wilson; Wise; Wohlgemuth; Wolens; Wong; Woolley; Zedler.

Absent — Deshotel; Homer; Moreno, J.; Moreno, P.; Noriega.

The invocation was offered by Dr. LaSalle Vaughn, pastor, New Life Christian Center, San Antonio, as follows:

Good morning, God bless you, and thank you so very much for having me.

We have entered a new era since 9/11. This new era has brought with it new problems, new pressures, and new possibilities. The new problems will require new solutions. We cannot solve the new problems with the same old solutions. We must have the leadership ability of creativity—new innovative ways of solving problems.

This new era has also brought with it new pressures, and we will cave in under it if we don't stand up under it. New pressures will require the leadership ability of conviction. My mother has often told me that, "if you don't stand for something, you'll fall for anything." It's time for leaders to stand up and be seen, speak up, and be heard. It's not time to blend in but to stand out. I believe it's time for leaders to lead, follow, or get out of the way.

And finally, this new era has brought with it new possibilities. New possibilities will require the leadership ability of courage—moving ahead in spite of fear. I often tell my congregation that you must not just pray for opportunities, but pray that you will be ready for them when they come.

This is not the time to focus only on being successful, but we must focus on being significant—where we make our life count, so that we can leave a legacy for generations to follow.

Let us pray. Father, we love you and adore you. I ask for your blessings upon our military and their families, upon our president and his family, upon our country, upon our government, upon our state, and all of our local leaders.

Father, I ask you to give our leaders Godly wisdom to deal with this new era in which we find ourselves.

Father, we give you control over the affairs of our lives and over the affairs of our nation. In Jesus' name we pray. Amen.

(F. Brown in the chair)

CAPITOL PHYSICIAN

The chair recognized Representative Grusendorf who presented Dr. Ronda Beene of Arlington as the "Doctor for the Day."

The house welcomed Dr. Beene and thanked her for her participation in the Physician of the Day Program sponsored by the Texas Academy of Family Physicians.

(Noriega now present)

HR 544 - ADOPTED (by Geren)

Representative Geren moved to suspend all necessary rules to take up and consider at this time **HR 544**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 544, Congratulating Charles Boyle Campbell, Jr., on his retirement from the Tarrant Regional Water District board of directors.

HR 544 was adopted without objection.

INTRODUCTION OF GUESTS

The chair recognized Representative Geren who introduced Charles Boyle Campbell, Jr. and his wife.

HR 879 - ADOPTED (by Pitts)

Representative Pitts moved to suspend all necessary rules to take up and consider at this time **HR 879**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 879, Congratulating Neal Robert "Zak" White IV of Waxahachie on becoming an Eagle Scout.

HR 879 was adopted without objection.

HR 880 - ADOPTED
(by Pitts)

Representative Pitts moved to suspend all necessary rules to take up and consider at this time **HR 880**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 880, Congratulating Elk Corporation of Texas on its 25th anniversary.

HR 880 was adopted without objection.

HR 645 - ADOPTED
(by Geren)

Representative Geren moved to suspend all necessary rules to take up and consider at this time **HR 645**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 645, Congratulating Chas Skelly of Azle High School on winning the 2003 UIL state wrestling championship in the 140-pound weight class.

HR 645 was adopted without objection.

INTRODUCTION OF GUEST

The chair recognized Representative Geren who introduced Chas Skelly.

HR 767 - ADOPTED
(by Baxter)

Representative Baxter moved to suspend all necessary rules to take up and consider at this time **HR 767**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 767, Honoring the Westlake High School Lady Chaparrals volleyball team on its championship season.

HR 767 was adopted without objection.

HCR 210 - ADOPTED
(by Uresti)

Representative Uresti moved to suspend all necessary rules to take up and consider at this time **HCR 210**.

The motion prevailed without objection.

The following resolution was laid before the house:

HCR 210, Designating April 23, 2003, as Long-Term Care Ombudsman Day in Texas.

HCR 210 was adopted without objection.

**MAJOR STATE CALENDAR
SENATE BILLS
SECOND READING**

The following bills were laid before the house and read second time:

**SB 263 ON SECOND READING
(Gallego - House Sponsor)**

SB 263, A bill to be entitled An Act relating to the continuation and functions of the State Board of Dental Examiners.

Amendment No. 1 (Committee Amendment No. 1)

On behalf of Representative Laubenberg, Representative Gallego offered the following committee amendment to **SB 263**:

Amend **SB 263** as follows:

(1) In the recital to SECTION 10 of the bill (senate engrossed version page 7, line 8), strike "254.013, 254.014, and 254.015" and substitute "254.013 and 254.014".

(2) In SECTION 10 of the bill (senate engrossed version page 7, lines 9-16), strike proposed Section 254.013, Occupations Code.

(3) In SECTION 10 of the bill, in proposed Section 254.014, Occupations Code (senate engrossed version page 7, line 17), strike "254.014" and substitute "254.013".

(4) In SECTION 10 of the bill, in proposed Section 254.015, Occupations Code (senate engrossed version page 8, line 5), strike "254.015" and substitute "254.014".

Amendment No. 1 was adopted without objection.

Amendment No. 2 (Committee Amendment No. 2)

On behalf of Representative Laubenberg, Representative Gallego offered the following committee amendment to **SB 263**:

Amend **SB 263** as follows:

(1) Between SECTIONS 15 and 16 of the bill (senate engrossed version page 16, between lines 13 and 14), insert the following appropriately numbered SECTION:

SECTION __. Section 257.004(a), Occupations Code, is amended to read as follows:

(a) A person holding a dental or dental hygienist license must submit at the time the person applies for renewal of the license ~~[attach to the person's renewal application]~~:

(1) a written statement executed by the person stating [proof] that the person [applicant] has successfully completed a current program or course in cardiopulmonary resuscitation that includes a demonstration of skills and a written evaluation; or

(2) if the person is not physically able to comply with the requirements of Subdivision (1), a written statement describing the person's physical incapacity executed by a licensed physician.

(2) Strike SECTION 27 of the bill (senate engrossed version page 28, lines 26 and 27) and substitute the following appropriately numbered SECTION:

SECTION __. Sections 257.003, 257.004(b), and 262.057, Occupations Code, are repealed.

(3) Renumber the SECTIONS of the bill accordingly.

Amendment No. 2 was adopted without objection.

Amendment No. 3 (Committee Amendment No. 3)

On behalf of Representative Laubenberg, Representative Gallego offered the following committee amendment to **SB 263**:

Amend **SB 263** in SECTION 25 of the bill, in proposed Section 267.001(b), Occupations Code, between "a" and "dental hygiene school faculty member license" (senate engrossed version page 26, lines 7 and 8), by inserting "dental school faculty member license or".

Amendment No. 3 was adopted without objection.

Amendment No. 4

On behalf of Representative Capelo, Representative Gallego offered the following amendment to **SB 263**:

Amend **SB 263** as follows:

(1) In SECTION 14 of the bill, in proposed Section 256.1013, Occupations Code, between Subdivisions (a)(1) and (2) of the section (House Committee Printing page 13, between lines 25 and 26), insert the following:

"(2) is a graduate of a recognized school of dentistry or dental hygiene accredited by the Commission on Dental Accreditation of the American Dental Association and approved by the board;".

(2) In SECTION 14 of the bill, in proposed Section 256.1013(a)(2), Occupations Code (House Committee Printing page 13, line 26), strike "(2)" and substitute "(3)".

(3) In SECTION 14 of the bill, in proposed Section 256.1013(a)(3), Occupations Code (House Committee Printing page 14, line 2), strike "(3)" and substitute "(4)".

(4) In SECTION 14 of the bill, in proposed Section 256.1013(b), Occupations Code (House Committee Printing page 14, line 6), strike "(a)(3)" and substitute "(a)(4)".

Amendment No. 4 was adopted without objection.

SB 263, as amended, was passed to third reading.

**GENERAL STATE CALENDAR
SENATE BILLS
THIRD READING**

The following bills were laid before the house and read third time:

**SB 240 ON THIRD READING
(Wohlgemuth - House Sponsor)**

SB 240, A bill to be entitled An Act relating to the enrollment of certain children and recipients of medical assistance in group health benefit plans.

SB 240 was passed.

(Homer now present)

**SB 572 ON THIRD READING
(Hartnett, Menendez, and Naishtat - House Sponsors)**

SB 572, A bill to be entitled An Act relating to the euthanasia of an animal by an animal shelter; providing criminal penalties.

SB 572 was passed.

**MAJOR STATE CALENDAR
HOUSE BILLS
THIRD READING**

The following bills were laid before the house and read third time:

**HB 897 ON THIRD READING
(by Woolley, Giddings, et al.)**

HB 897, A bill to be entitled An Act relating to the operation of certain employer coalitions and cooperatives established for the provision of health benefits coverage.

HB 897 was passed.

**HB 1882 ON THIRD READING
(by Deshotel, et al.)**

HB 1882, A bill to be entitled An Act relating to incentives for certain high schools and high school students to participate in the Early High School Graduation Scholarship program.

HB 1882 was passed.

**HB 1887 ON THIRD READING
(by Morrison, Chavez, and Mercer)**

HB 1887, A bill to be entitled An Act relating to funds received by institutions of higher education to cover overhead expenses of conducting research.

A record vote was requested.

HB 1887 was passed by (Record 318): 142 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Bailey; Baxter; Berman; Bohac; Bonnen; Branch; Brown, B.; Burnam; Callegari; Campbell; Canales; Capelo; Casteel; Castro; Chavez; Chisum; Christian; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, Y.; Dawson; Delisi; Denny; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Ellis; Farabee; Farrar; Flores; Flynn; Gallego; Garza; Gattis; Geren; Giddings; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Gutierrez; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Heflin; Hegar; Hilderbran; Hill; Hochberg; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Isett; Jones, D.; Jones, E.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Lewis; Luna; Mabry; Madden; Marchant; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Mercer; Merritt; Miller; Morrison; Mowery; Naishtat; Nixon; Noriega; Oliveira; Olivo; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Stick; Swinford; Talton; Taylor; Telford; Thompson; Truitt; Turner; Uresti; Van Arsdale; Villarreal; West; Wilson; Wise; Wohlgemuth; Wolens; Wong; Woolley; Zedler.

Present, not voting — Mr. Speaker; Brown, F.(C).

Absent — Davis, J.; Deshotel; Hodge; Moreno, J.; Moreno, P.

HB 1941 ON THIRD READING

(by Woolley, Hochberg, Wong, and Edwards)

HB 1941, A bill to be entitled An Act relating to authorizing the issuance of revenue bonds for The University of Texas Health Science Center at Houston for recovery from Tropical Storm Allison and exempting the property and projects financed by the bonds from prior approval by the Texas Higher Education Coordinating Board.

(Deshotel now present)

A record vote was requested.

HB 1941 was passed by (Record 319): 141 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Bailey; Baxter; Berman; Bohac; Bonnen; Branch; Brown, B.; Burnam; Callegari; Campbell; Canales; Capelo; Casteel; Castro; Chavez; Chisum; Christian; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Dawson; Delisi; Denny; Deshotel; Driver; Dukes; Dutton; Eiland; Eissler; Elkins; Ellis; Farabee; Farrar; Flores; Flynn; Gallego; Garza; Gattis; Geren; Giddings; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Gutierrez; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Heflin; Hegar; Hilderbran; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Isett; Jones, D.; Jones, E.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Lewis; Luna; Mabry; Madden; Marchant; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Mercer; Merritt; Miller; Morrison; Mowery; Naishtat; Nixon; Noriega; Oliveira; Olivo; Paxton; Peña;

Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Solis; Solomons; Stick; Swinford; Talton; Taylor; Telford; Thompson; Truitt; Turner; Uresti; Van Arsdale; Villarreal; West; Wilson; Wohlgemuth; Wolens; Wong; Woolley; Zedler.

Present, not voting — Mr. Speaker; Brown, F.(C).

Absent — Dunnam; Edwards; Moreno, J.; Moreno, P.; Smithee; Wise.

(P. Moreno now present)

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence for the remainder of today because of important business in the district:

B. Keffer on motion of J. Keffer.

HR 891 - ADOPTED (by Dukes)

Representative Dukes moved to suspend all necessary rules to take up and consider at this time **HR 891**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 891, Honoring First Baptist Church of Austin on its 136th anniversary.

HR 891 was adopted without objection.

HR 892 - ADOPTED (by Dukes)

Representative Dukes moved to suspend all necessary rules to take up and consider at this time **HR 892**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 892, Honoring Dr. Sterling Lands II, founder of Rites of Passage Development, Inc., and senior pastor of Greater Calvary Baptist Church.

HR 892 was adopted without objection.

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence temporarily for today because of important business in the district:

J. Moreno on motion of Mabry.

HR 890 - ADOPTED (by J. Jones)

Representative J. Jones moved to suspend all necessary rules to take up and consider at this time **HR 890**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 890, In memory of Lesley Milas Delaney, Sr.

HR 890 was unanimously adopted by a rising vote.

HB 1567 ON THIRD READING
(by West, Chisum, and W. Smith)

HB 1567, A bill to be entitled An Act relating to the disposal of low-level radioactive waste; authorizing the exercise of the power of eminent domain.

Amendment No. 1

Representative Truitt offered the following amendment to **HB 1567**:

Amend **CSHB 1567** on page 15 by striking lines 22-24 and substituting:
concrete;

(2) in above-grade vaults with internal access designed to isolate the waste from the environment, from which the waste is easily retrievable; and

(3) in a manner that includes:

(A) individual monitoring of each waste structure or building;

(B) monitoring of the ground beneath the disposal facility and the perimeter of the facility for leakage; and

(C) active inspection and preventive maintenance.

Amendment No. 1 was adopted without objection.

HB 1567, as amended, was passed. (Hodge, McClendon, and Thompson recorded voting no)

MAJOR STATE CALENDAR
HOUSE BILLS
SECOND READING

The following bills were laid before the house and read second time:

CSHB 1218 ON SECOND READING
(by Chisum, Gallego, Solomons, and Dunnam)

CSHB 1218, A bill to be entitled An Act relating to the continuation and functions of the Texas State Board of Public Accountancy; providing penalties.

Amendment No. 1

Representative Chisum offered the following amendment to **CSHB 1218**:

Amend **CSHB 1218**, on page 21, by striking lines 1 through 13 and substituting the following:

(b) An offense under this section is punishable as:

(1) a state jail felony if it is shown on the trial of the offense that the violation resulted in a monetary loss of less than \$10,000 or did not result in a monetary loss;

(2) a felony of the third degree if it is shown on the trial of the offense that the violation resulted in a monetary loss of at least \$10,000 but less than \$100,000;

(3) a felony of the second degree if it is shown on the trial of the offense that the violation resulted in a monetary loss of at least \$100,000 but less than \$500,000; and

(4) a felony of the first degree if it is shown on the trial of the offense that the violation resulted in a monetary loss of at least \$500,000 [a Class B misdemeanor].

Amendment No. 1 was adopted without objection.

Amendment No. 2

Representative Chisum offered the following amendment to **CSHB 1218**:

Amend **CSHB 1218** on page 21, by striking lines 5 through 13 and substituting the following:

(1) a state jail felony if it is shown on the trial of the offense that the violation resulted in a monetary loss of less than \$10,000 or did not result in a monetary loss;

(2) a felony of the third degree if it is shown on the trial of the offense that the violation resulted in a monetary loss of at least \$10,000 but less than \$100,000; or

(3) a felony of the second degree if it is shown on the trial of the offense that the violation resulted in a monetary loss of at least \$100,000 but less than \$500,000.

Amendment No. 3

Representative Martinez Fischer offered the following amendment to Amendment No. 2:

Amend the amendment on line 11 by striking "but less than \$500,000"

Amendment No. 3 was adopted without objection.

Amendment No. 2, as amended, was adopted without objection.

Amendment No. 4

Representative Chisum offered the following amendment to **CSHB 1218**:

Amend **CSHB 1218** on page 22, line 5 by striking "2005" and inserting "2004" in its place.

Amendment No. 4 was adopted without objection.

Amendment No. 5

Representative Chisum offered the following amendment to **CSHB 1218**:

Amend **CSHB 1218** by adding the following appropriately numbered SECTIONS to the bill and renumbering existing SECTIONS of the bill appropriately:

SECTION _____. Section 2, Self-Directed Semi-Independent Agency Project Act (Article 8930, Revised Statutes), is amended to read as follows:

Sec. 2. AGENCY PARTICIPATION. The Texas State Board of Public Accountancy ~~[following agencies]~~ shall be the only state agency that is part of the pilot project created by this Act[-

- ~~[(1) the Texas State Board of Public Accountancy;~~
- ~~[(2) the Texas Board of Professional Engineers; and~~
- ~~[(3) the Texas Board of Architectural Examiners].~~

SECTION _____. Section 4(c), Self-Directed Semi-Independent Agency Project Act (Article 8930, Revised Statutes), is amended to read as follows:

(c) This Act is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, this Act expires September 1, 2009 ~~[2003]~~.

SECTION _____. Section 6(c), Self-Directed Semi-Independent Agency Project Act (Article 8930, Revised Statutes), is amended to read as follows:

(c) The Texas State Board of Public Accountancy shall annually remit \$500,000 to the general revenue fund~~[-the Texas Board of Professional Engineers shall annually remit \$50,000 to the general revenue fund, and the Texas Board of Architectural Examiners shall annually remit \$700,000 to the general revenue fund].~~

SECTION _____. Section 15(b), Self-Directed Semi-Independent Agency Project Act (Article 8930, Revised Statutes), is amended to read as follows:

(b) If a state agency no longer has status under this Act as a self-directed semi-independent project agency either because of the expiration of this Act or for any other reason, ownership of any property or other asset acquired by the agency during the time the agency participated in the pilot project, including unexpended and unobligated money ~~[fees]~~ in a deposit account in the Texas Treasury Safekeeping Trust Company, shall be transferred to the state.

SECTION _____. (a) On the effective date of this Act, the Texas Board of Professional Engineers and the Texas Board of Architectural Examiners are no longer self-directed semi-independent project agencies under the Self-Directed Semi-Independent Agency Project Act (Article 8930, Revised Statutes).

(b) The change in law made by this Act does not affect the obligation of the Texas Board of Professional Engineers and the Texas Board of Architectural Examiners to remit money to the general revenue fund for the state fiscal year ending August 31, 2003, under Section 6(c), Self-Directed Semi-Independent Agency Project Act (Article 8930, Revised Statutes), as that law existed immediately before the effective date of this Act, and the former law is continued in effect for that purpose.

Amendment No. 5 was withdrawn.

Amendment No. 6

Representative Wolens offered the following amendment to **CSHB 1218**:

Amend **CSHB 1218** by adding the following appropriately numbered SECTIONS to the bill and renumbering existing SECTIONS of the bill appropriately:

SECTION _____. Section 2, Self-Directed Semi-Independent Agency Project Act (Article 8930, Revised Statutes), is amended to read as follows:

Sec. 2. AGENCY PARTICIPATION. The Texas State Board of Public Accountancy ~~[following agencies]~~ shall be the only state agency that is part of the pilot project created by this Act[-

- ~~[(1) the Texas State Board of Public Accountancy;~~
- ~~[(2) the Texas Board of Professional Engineers; and~~
- ~~[(3) the Texas Board of Architectural Examiners].~~

SECTION _____. Section 4(c), Self-Directed Semi-Independent Agency Project Act (Article 8930, Revised Statutes), is amended to read as follows:

(c) This Act is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, this Act expires September 1, 2009 ~~[2003]~~.

SECTION _____. Section 6(c), Self-Directed Semi-Independent Agency Project Act (Article 8930, Revised Statutes), is amended to read as follows:

(c) The Texas State Board of Public Accountancy shall annually remit \$500,000 to the general revenue fund~~[-the Texas Board of Professional Engineers shall annually remit \$50,000 to the general revenue fund, and the Texas Board of Architectural Examiners shall annually remit \$700,000 to the general revenue fund].~~

SECTION _____. Section 15(b), Self-Directed Semi-Independent Agency Project Act (Article 8930, Revised Statutes), is amended to read as follows:

(b) If a state agency no longer has status under this Act as a self-directed semi-independent project agency either because of the expiration of this Act or for any other reason, ownership of any property or other asset acquired by the agency during the time the agency participated in the pilot project, including unexpended and unobligated money ~~[fees]~~ in a deposit account in the Texas Treasury Safekeeping Trust Company, shall be transferred to the state.

SECTION _____. (a) On the effective date of this Act, the Texas Board of Professional Engineers and the Texas Board of Architectural Examiners are no longer self-directed semi-independent project agencies under the Self-Directed Semi-Independent Agency Project Act (Article 8930, Revised Statutes).

(b) The change in law made by this Act does not affect the obligation of the Texas Board of Professional Engineers and the Texas Board of Architectural Examiners to remit money to the general revenue fund for the state fiscal year ending August 31, 2003, under Section 6(c), Self-Directed Semi-Independent Agency Project Act (Article 8930, Revised Statutes), as that law existed immediately before the effective date of this Act, and the former law is continued in effect for that purpose.

Amendment No. 7

Representative Wolens offered the following amendment to Amendment No. 6:

Amend the Wolens amendment to **CSHB 1218** on page 1, line 23, by striking "\$500,000" and substituting "\$703,344 ~~[\$500,000]~~".

Amendment No. 7 was adopted without objection.

Amendment No. 6, as amended, was adopted.

CSHB 1218, as amended, was passed to engrossment.

HR 881 - ADOPTED
(by Capelo)

Representative Capelo moved to suspend all necessary rules to take up and consider at this time **HR 881**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 881, Commemorating the 44th anniversary of the Feria de las Flores and commending the members of LULAC Council No. 1.

HR 881 was adopted without objection.

HR 893 - ADOPTED
(by Noriega)

Representative Noriega moved to suspend all necessary rules to take up and consider at this time **HR 893**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 893, Honoring Ronald Pointer of Seabrook on his 60th birthday.

HR 893 was adopted without objection.

HR 845 - ADOPTED
(by McClendon)

Representative McClendon moved to suspend all necessary rules to take up and consider at this time **HR 845**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 845, In memory of Brigadier General Lillian Dunlap of San Antonio.

HR 845 was unanimously adopted by a rising vote.

SB 260 ON SECOND READING
(Solomons, Chisum, Gallego, and Dunnam - House Sponsors)

SB 260, A bill to be entitled An Act relating to continuation and functions of the Texas Board of Professional Land Surveying.

SB 260 was considered in lieu of **HB 706**.

SB 260 was passed to third reading.

HB 706 - LAID ON THE TABLE SUBJECT TO CALL

Representative Solomons moved to lay **HB 706** on the table subject to call.

The motion prevailed without objection.

HB 493 ON SECOND READING**(by J. Jones, Olivo, et al.)**

HB 493, A bill to be entitled An Act relating to the continuation of the Texas Department on Aging.

HB 493 was passed to engrossment.

CSHB 1856 ON SECOND READING**(by Allen)**

CSHB 1856, A bill to be entitled An Act relating to a review of the operations of the Windham School District by the Sunset Advisory Commission.

CSHB 1856 was passed to engrossment.

HR 744 - ADOPTED**(by Y. Davis)**

Representative Y. Davis moved to suspend all necessary rules to take up and consider at this time **HR 744**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 744, Honoring Pastor Kevin Eugene Rodgers I on 26 years in the ministry and six years as leader of the Covenant Missionary Baptist Church congregation.

HR 744 was adopted without objection.

HR 830 - ADOPTED**(by Y. Davis)**

Representative Y. Davis moved to suspend all necessary rules to take up and consider at this time **HR 830**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 830, Honoring Norma Adams-Wade of Dallas on her many achievements in the field of journalism on the occasion of her retirement.

HR 830 was adopted without objection.

CSHB 1549 ON SECOND READING**(by Denny, Howard, Uresti, J. Jones, and Heflin)**

CSHB 1549, A bill to be entitled An Act relating to changes required in election laws to implement the federal Help America Vote Act of 2002.

Amendment No. 1

Representative Denny offered the following amendment to **CSHB 1549**:

Amend **CSHB 1549** as follows:

(1) On page 1, lines 5-6, strike "Section 13.002, Election Code, is amended by amending Subsection (c) and adding Subsection (e)" and substitute "Section 13.002(c), Election Code, is amended".

(2) On page 2, lines 1-2, strike "identifying the applicant"

(3) On page 2, strike lines 9-11 and substitute the following:

(C) a statement by the applicant that the applicant has not been issued a number described by Paragraph (A) or (B);

(4) On page 2, strike lines 16-18.

Amendment No. 1 was adopted without objection.

Amendment No. 2

Representative Denny offered the following amendment to **CSHB 1549**:

Amend **CSHB 1549** as follows:

(1) On page 17, after line 17, insert a new Subsection (e) to read as follows:

(e) A person who is permitted under a state or federal court order to cast a ballot in an election for a federal office after the time allowed by Subchapter B, Chapter 41, must cast the ballot as a provisional vote in the manner required by this section.

(2) On page 19, strike SECTION 32 of the bill and renumber the remaining sections as appropriate.

(3) On page 23, strike lines 24 and 25.

(4) On page 23, line 26, strike "(c)" and substitute "(b)".

Amendment No. 2 was adopted without objection.

CSHB 1549, as amended, was passed to engrossment.

GENERAL STATE CALENDAR

HOUSE BILLS

THIRD READING

The following bills were laid before the house and read third time:

HB 1165 ON THIRD READING

(by Solomons, Elkins, Giddings, Kolkhorst, and Zedler)

HB 1165, A bill to be entitled An Act relating to business corporations.

HB 1165 was passed.

HB 1156 ON THIRD READING

(by Giddings, Elkins, Oliveira, Kolkhorst, and Solomons)

HB 1156, A bill to be entitled An Act relating to adoption of the Business Organizations Code.

HB 1156 was passed.

HB 1394 ON THIRD READING**(by Elkins, Edwards, Bohac, Giddings, and Solomons)**

HB 1394, A bill to be entitled An Act relating to a revision of the general provisions of the Uniform Commercial Code.

HB 1394 was passed.

HB 1637 ON THIRD READING**(by Oliveira, Giddings, Solomons, Elkins, and Kolkhorst)**

HB 1637, A bill to be entitled An Act relating to the formation, organization, management, and records of certain business organizations.

HB 1637 was passed.

**GENERAL STATE CALENDAR
HOUSE BILLS
SECOND READING**

The following bills were laid before the house and read second time:

HB 426 ON SECOND READING**(by Christian, Miller, Homer, Eissler, Isett, et al.)**

HB 426, A bill to be entitled An Act relating to the adoption of state agency rules that impose certain costs on local governments or persons.

Amendment No. 1

Representative Christian offered the following amendment to **HB 426**:

Amend **HB 426** as follows:

(1) On page 1, lines 8 and 9, strike "Unless expressly authorized by the legislature in compliance with" and substitute "Except as provided by".

(2) On page 1, lines 17-19, strike "if the legislature by law expressly authorizes the adoption of the rule with those costs." and substitute: "if:

(1) the legislature by law expressly authorizes the adoption of the rule with those costs; or

(2) adoption of the rule is required for compliance with a federal law or regulation and the state agency adopting the rule is authorized to interpret the meaning of the applicable federal law or regulation and to implement the federal law or regulation."

(3) On page 1, between lines 19 and 20, insert the following:

(c) A state agency adopting a rule as authorized by Subsection (b)(2) may only adopt a rule that meets, but does not exceed, the federal requirements.

(4) On page 1, line 20, strike "(c)" and substitute "(d)".

(5) On page 1, line 22, between "law" and "authorizing" insert "or regulation".

Amendment No. 1 was adopted without objection.

Amendment No. 2

Representative Christian offered the following amendment to **HB 426**:

Amend **HB 426** as follows:

(1) On page 1, between lines 23 and 24, insert the following:

(d) For the purposes of this section, the term "adoption of a rule" includes the adoption of a revision of a rule.

(2) On page 2, line 1, strike "rule proposed by a state agency for" and substitute "rule or a revision of a rule that is proposed by a state agency and for".

Amendment No. 2 was adopted without objection.

HB 426, as amended, was passed to engrossment.

SB 416 ON SECOND READING

(Flores - House Sponsor)

SB 416, A bill to be entitled An Act relating to the regulation of boilers.

SB 416 was considered in lieu of **HB 947**.

(Speaker in the chair)

SB 416 was passed to third reading.

HB 947 - LAID ON THE TABLE SUBJECT TO CALL

Representative Flores moved to lay **HB 947** on the table subject to call.

The motion prevailed without objection.

CSHB 1770 ON SECOND READING

(by Keel, Naishtat, Stick, Hilderbran, and Dukes)

CSHB 1770, A bill to be entitled An Act relating to the creation and taxes of a library district.

CSHB 1770 was passed to engrossment.

HB 1037 ON SECOND READING

(by Ritter, Casteel, Deshotel, et al.)

HB 1037, A bill to be entitled An Act relating to a courthouse security fee collected in civil case filings.

Amendment No. 1

Representative Puente offered the following amendment to **HB 1037**:

Amend **HB 1037** on page 1, line 9, between "court" and "which", by inserting "other than a case in which an adoption is requested or in which termination of a parent-child relationship is sought,".

Amendment No. 1 was adopted without objection.

HB 1037, as amended, was passed to engrossment.

HB 2169 ON SECOND READING

(by Telford, Ritter, Menendez, Flores, et al.)

HB 2169, A bill to be entitled An Act relating to the payment of retirement benefits to retirees who are employed by certain public educational institutions.

Amendment No. 1

Representative T. Smith offered the following amendment to **HB 2169**:

Amend **HB 2169** on page 2, lines 6-7, by striking Section 2 of the bill and substituting the following:

SECTION 2. The change in law made by Section 824.601, Government Code, as amended by this Act, applies only to the payment of retirement benefits to a retiree who is first employed by a third-party entity on or after April 22, 2003. The payment of retirement benefits to a retiree who was first employed by a third-party entity before April 22, 2003, is governed by the law in effect before the effective date of this Act, and the former law is continued in effect for that purpose.

Amendment No. 1 was adopted without objection.

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence for the remainder of today because of personal business:

Bailey on motion of Luna.

HB 2169 - (consideration continued)

(Puente in the chair)

HB 2169, as amended, was passed to engrossment. (Gattis recorded voting yes; Gallego recorded voting no)

CSHB 593 ON SECOND READING

(by Dukes)

CSHB 593, A bill to be entitled An Act relating to the eligibility of certain persons to contract with a state agency.

Representative Dukes moved to postpone consideration of **CSHB 593** until 12:30 p.m. today.

The motion prevailed without objection.

HR 878 - ADOPTED

(by Hill)

Representative Hill moved to suspend all necessary rules to take up and consider at this time **HR 878**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 878, Honoring the 2003 Richardson ISD Capitol Scholars.

HR 878 was adopted without objection.

HB 1616 ON SECOND READING**(by Farabee and E. Jones)**

HB 1616, A bill to be entitled An Act relating to state energy conservation office cooperation with federal programs related to research on and development and demonstration of fuel cells.

HB 1616 was passed to engrossment.

HB 1458 ON SECOND READING**(by Eiland and Menendez)**

HB 1458, A bill to be entitled An Act relating to criminal obstruction of or retaliation against an honorably retired peace officer.

Representative Eiland moved to postpone consideration of **HB 1458** until 1:00 p.m. today.

The motion prevailed without objection.

HB 292 ON SECOND READING**(by Reyna, Ritter, and Keel)**

HB 292, A bill to be entitled An Act relating to the taking of a specimen of a person's breath or blood in connection with certain alcohol-related offenses.

HB 292 was passed to engrossment.

HB 406 ON SECOND READING**(by Miller, et al.)**

HB 406, A bill to be entitled An Act relating to proceeds received by a person accused or convicted of a crime from publicizing the crime.

Amendment No. 1

Representative Miller offered the following amendment to **HB 406**:

Amend **HB 406** on page 1, between lines 17 and 18, by inserting the following appropriately numbered SECTION and renumbering the subsequent SECTIONS of the bill accordingly:

SECTION __. Article 59.06(k)(1), Code of Criminal Procedure, is amended to read as follows:

(k)(1) The attorney for the state shall transfer all forfeited property that is income from, or acquired with the income from, a movie, book, magazine article, tape recording, phonographic record, radio or television presentation, telephone service, an electronic media format, including an Internet website, or live entertainment in which a crime is reenacted to the attorney general.

Amendment No. 1 was adopted without objection.

HB 406, as amended, was passed to engrossment.

HB 670 ON SECOND READING
(by Phillips and Paxton)

HB 670, A bill to be entitled An Act relating to the use of pseudonyms for victims of certain criminal offenses connected to the commission of a sex offense.

HB 670 was passed to engrossment.

CSHB 1330 ON SECOND READING
(by McReynolds and Christian)

CSHB 1330, A bill to be entitled An Act relating to medical information on a driver's license.

CSHB 1330 was passed to engrossment.

CSHB 725 ON SECOND READING
(by Haggerty)

CSHB 725, A bill to be entitled An Act relating to the participation of community supervision and corrections department employees, retired employees, and dependents of employees and retired employees in the group benefits program for state employees.

Amendment No. 1

Representative Haggerty offered the following amendment to **CSHB 725**:

Amend **CSHB 725** (House Committee Printing) as follows:

(1) On page 8, line 4, strike "Subsection (a)" and substitute "Subsections (a) and (b)".

(2) On page 8, line 12, between "2004" and the period, insert ", except that a community supervision and corrections department may delay participation in the group benefits program until the date life, accident, and health benefit coverage that is in effect on September 1, 2004, expires or terminates".

Amendment No. 1 was adopted without objection.

CSHB 725, as amended, was passed to engrossment. (Chisum recorded voting no)

CSHB 1554 ON SECOND READING
(by Grusendorf)

CSHB 1554, A bill to be entitled An Act relating to a virtual charter school administered by a public senior college or university.

Amendment No. 1

Representative Hochberg offered the following amendment to **CSHB 1554**:

Amend **CSHB 1554** on page 1, by striking lines 20-24 and substituting the following:

(1) "Educational activity" means an activity of a student enrolled in a virtual charter school that is designed to further student learning.

Amendment No. 1 was adopted without objection.

Amendment No. 2

Representative Hochberg offered the following amendment to **CSHB 1554**:

Amend **CSHB 1554** as follows:

(1) On page 2, line 7, strike "~~(a)~~" and substitute "(a)".

(2) On page 2, between lines 18 and 19, insert the following:

(b) In granting a charter under Subsection (a)(2), the State Board of Education shall give preference to an applicant administering a virtual charter school for which at least 75 percent of the prospective student population, as specified in the school's proposed charter, are students who have dropped out of school or who are at risk of dropping out of school, as determined under Section 29.081(d).

Representative Grusendorf moved to table Amendment No. 2.

The motion to table was lost.

Amendment No. 2 was adopted.

Amendment No. 3

Representative Hochberg offered the following amendment to **CSHB 1554**:

Amend **CSHB 1554** on page 3, line 6, between "standards" and the semicolon, by inserting the following:

, as determined by the State Board of Education under 28.002

Amendment No. 3 was adopted without objection.

Amendment No. 4

Representative Hochberg offered the following amendment to **CSHB 1554**:

Amend **CSHB 1554** as follows:

(1) Strike page 3, lines 15-21, and substitute the following:

(5) make available to the parent or legal guardian of each student physical copies of any instructional materials related to the student's curriculum;

(6) make available to the parent or legal guardian of each student in a family with income at or below 150 percent of the federal poverty level:

(A) a computer and printer, if the parent or legal guardian does not have the necessary computer and printer available for the student's use; and

(B) reimbursement for any fees related to Internet access used for educational activities, if the parent or legal guardian must add capacity to that access in order for the student to participate in the school; and

(2) On page 3, line 22, strike "(6)" and substitute "(7)".

(Speaker in the chair)

Representative Grusendorf moved to table Amendment No. 4.

(Dawson in the chair)

The motion to table was lost.

Amendment No. 4 was adopted.

Amendment No. 5

Representative Hochberg offered the following amendment to **CSHB 1554**:

Amend **CSHB 1554** as follows:

- (1) On page 3, line 26, strike "720" and substitute "1260".
- (2) On page 4, line 1, strike "900" and substitute "1440".

Amendment No. 5 was adopted without objection.

Amendment No. 6

Representative Hochberg offered the following amendment to **CSHB 1554**:

Amend **CSHB 1554** as follows:

- (1) On page 4, line 5, strike "and".
- (2) On page 4, line 8, strike the period and substitute "; and".
- (3) On page 4, between lines 8 and 9, insert the following:

(3) shall use electronic communication, including electronic mail list services or Internet chat rooms, to ensure interaction between students enrolled in the school.

Amendment No. 6 was adopted without objection.

Amendment No. 7

Representative Hochberg offered the following amendment to **CSHB 1554**:

Amend **CSHB 1554** as follows:

- (1) On page 4, line 5, strike "and".
- (2) On page 4, line 8, strike the period and substitute "; and".
- (3) On page 4, between lines 8 and 9, insert the following:

(3) shall, to the extent consistent with rules adopted by the commissioner, be reasonably available each school day by electronic or other means of communication to respond to questions from students enrolled in the school and from the students' parent or guardian.

Amendment No. 7 was withdrawn.

Amendment No. 8

Representative Hochberg offered the following amendment to **CSHB 1554**:

Amend **CSHB 1554** on page 4 by striking lines 9-11 and substituting the following:

(d) A virtual charter school is entitled for each student in average daily attendance to funding at a level equal to the lesser of:

(1) the school's actual cost of efficiently providing educational services to the student, as determined by the commissioner; or

(2) the level of funding for a student enrolled in an open-enrollment charter school.

Amendment No. 8 was adopted without objection.

Amendment No. 9

Representative Hochberg offered the following amendment to **CSHB 1554**:

Amend **CSHB 1554** as follows:

(1) On page 4, line 5, strike "and".

(2) On page 4, line 8, strike the period and substitute "; and".

(3) On page 4, between lines 8 and 9, insert the following:

(3) shall, to the extent consistent with rules adopted by the commissioner, be regularly available by electronic or other means of communication to respond to questions from students enrolled in the school and from the students' parent or guardian.

Amendment No. 9 was adopted without objection.

Amendment No. 10

Representative Hochberg offered the following amendment to **CSHB 1554**:

Amend **CSHB 1554** as follows:

(1) On page 4, line 19, strike "and".

(2) On page 4, line 21, strike the period and substitute "; and".

(3) On page 4, between lines 21 and 22, insert the following:

(4) the performance of any students who leave the program and enroll in another public school in this state.

Amendment No. 10 was withdrawn.

Amendment No. 11

Representative Hochberg offered the following amendment to **CSHB 1554**:

Amend **CSHB 1554** on page 4, between lines 21 and 22, by inserting the following:

(f) To the extent that funding for virtual charter schools increases the cost of the Foundation School Program beyond the amount appropriated to fund the Foundation School Program, deductions in any amounts allocated to school districts and increases in the amounts recaptured from school districts shall be calculated according to the method specified by Section 42.253(h). Enrollment of students in virtual charter schools shall be limited so that a district does not lose more than \$35 for each student as a result of funding of virtual charter schools.

Amendment No. 11 was adopted without objection.

Amendment No. 12

Representative Hochberg offered the following amendment to **CSHB 1554**:

Amend **CSHB 1554** on page 4, between lines 21 and 22, by inserting the following:

(f) If a public senior college or university that holds a charter for a virtual charter school purchases an educational service, including a service related to curriculum, the purchasing contract must provide for purchase of the service at a specific price, not to exceed the lowest price paid for the service by any other state or by any other school campus or district in this state.

Amendment No. 12 was adopted without objection.

Amendment No. 13

Representative Hochberg offered the following amendment to **CSHB 1554**:

Amend **CSHB 1554** on page 4, between lines 21 and 22, by inserting the following:

(f) The president, or the president's designee, of a public college or university that holds a charter for a virtual charter school shall be available, using a widely publicized electronic mail address, to the parents and guardians of students enrolled at the virtual charter school for the purpose of communicating about the virtual charter school program.

Amendment No. 13 was adopted without objection.

MESSAGE FROM THE SENATE

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 1).

CSHB 1554 - (consideration continued)**Amendment No. 14**

Representative Merritt offered the following amendment to **CSHB 1554**:

Amend **CSHB 1554** as follows:

(1) On page 2, line 14, strike "or".

(2) On page 2, line 18, strike the period and substitute "; or".

(3) On page 2, between lines 18 and 19, insert the following:

(3) a virtual charter school administered by a public junior college, as defined by Section 61.003, to operate from an administrative office in the same county in which the campus of the public junior college is located.

(4) On page 4, between lines 21 and 22, insert the following:

(f) The curriculum of a virtual charter school may include career and technology education.

Amendment No. 14 was adopted without objection.

Amendment No. 15

Representative Martinez Fischer offered the following amendment to **CSHB 1554**:

Amend **CSHB 1554** as follows:

(1) On page 3, at the end of line 21, strike "and".

(2) On page 3, at the end of line 23, strike the period and insert "1".

(3) On page 3, between lines 23 and, 24, insert the following:

(7) provide general special education services under Subchapter A, Chapter 29; and

(8) provide bilingual and special language program services under Subchapter B, Chapter 29.

Amendment No. 15 was withdrawn.

Amendment No. 16

Representative Martinez Fischer offered the following amendment to **CSHB 1554**:

Amend **CSHB 1554** as follows:

- (1) On page 3, at the end of line 21, strike "and".
- (2) On page 3, at the end of line 23, strike the period and insert "½".
- (3) On page 3, between lines 23 and, 24, insert the following:

(7) provide general special education services under Subchapter A, Chapter 29 to the extent possible; and

(8) provide bilingual and special language program services under Subchapter B, Chapter 29 to the extent possible.

Amendment No. 16 was adopted without objection.

LEAVES OF ABSENCE GRANTED

The following member was granted leave of absence temporarily for today because of important business in the district:

Zedler on motion of Flynn.

The following member was granted leave of absence for the remainder of today because of illness:

Paxton on motion of Hughes.

A record vote was requested.

The vote of the house was taken on passage to engrossment of **CSHB 1554** and the vote was announced yeas 72, nays 71.

A verification of the vote was requested and was granted.

The roll of those voting yea and nay was again called and the verified vote resulted, as follows (Record 320): 66 Yeas, 75 Nays, 2 Present, not voting.

Yeas — Allen; Berman; Bohac; Branch; Brown, B.; Brown, F.; Chisum; Christian; Cook, B.; Corte; Crabb; Crownover; Davis, J.; Delisi; Denny; Eissler; Elkins; Flynn; Gattis; Goolsby; Griggs; Grusendorf; Gutierrez; Haggerty; Hamric; Harper-Brown; Hartnett; Heflin; Hegar; Hill; Hochberg; Howard; Hughes; Hunter; Hupp; Jones, E.; Keffer, J.; King; Krusee; Kuempel; Laubenberg; Madden; Marchant; McCall; Mercer; Merritt; Miller; Morrison; Mowery; Nixon; Phillips; Pickett; Reyna; Riddle; Seaman; Smithee; Solomons; Swinford; Talton; Taylor; Van Arsdale; West; Wilson; Wohlgemuth; Wong; Woolley.

Nays — Alonzo; Baxter; Bonnen; Burnam; Callegari; Campbell; Canales; Capelo; Casteel; Castro; Chavez; Coleman; Cook, R.; Davis, Y.; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Ellis; Farabee; Farrar; Flores; Gallego; Garza; Geren; Giddings; Goodman; Guillen; Hamilton; Hilderbran; Hodge; Homer; Hope; Hopson; Isett; Jones, D.; Jones, J.; Keel; Kolkhorst; Laney; Lewis; Luna; Mabry; Martinez Fischer; McClendon; McReynolds;

Menendez; Moreno, P.; Naishtat; Noriega; Oliveira; Olivo; Peña; Pitts; Puente; Quintanilla; Raymond; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; Solis; Stick; Telford; Thompson; Truitt; Turner; Uresti; Villarreal; Wise; Wolens.

Present, not voting — Mr. Speaker; Dawson(C).

Absent, Excused — Bailey; Keffer, B.; Moreno, J.; Paxton; Zedler.

Absent — Hardcastle.

(Speaker in the chair)

The speaker stated that **CSHB 1554** failed to pass to engrossment by the above vote.

(Zedler now present)

Representative Thompson moved to reconsider the vote by which **CSHB 1554** failed to pass to engrossment and to table the motion to reconsider.

A record vote was requested.

The motion to table prevailed by (Record 321): 79 Yeas, 63 Nays, 1 Present, not voting.

Yeas — Alonzo; Baxter; Bonnen; Burnam; Campbell; Capelo; Casteel; Castro; Chavez; Coleman; Cook, R.; Davis, J.; Davis, Y.; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Ellis; Farabee; Farrar; Flores; Flynn; Gallego; Garza; Geren; Giddings; Goodman; Goolsby; Guillen; Hamilton; Hamric; Hartnett; Hodge; Homer; Hopson; Jones, D.; Jones, J.; Keel; Kolkhorst; Kuempel; Laney; Lewis; Luna; Mabry; Martinez Fischer; McClendon; McReynolds; Menendez; Merritt; Moreno, P.; Naishtat; Noriega; Oliveira; Olivo; Peña; Pickett; Pitts; Puente; Quintanilla; Raymond; Ritter; Rodriguez; Rose; Smith, T.; Solis; Stick; Telford; Thompson; Truitt; Turner; Uresti; Villarreal; West; Wise; Wohlgemuth; Wolens.

Nays — Allen; Berman; Bohac; Branch; Brown, B.; Brown, F.; Callegari; Canales; Chisum; Christian; Cook, B.; Corte; Crabb; Crownover; Dawson; Delisi; Denny; Eissler; Elkins; Gattis; Griggs; Grusendorf; Gutierrez; Haggerty; Harper-Brown; Heflin; Hegar; Hill; Hochberg; Hope; Howard; Hughes; Hunter; Hupp; Isett; Jones, E.; Keffer, J.; King; Krusee; Laubenberg; Madden; Marchant; McCall; Mercer; Miller; Morrison; Mowery; Nixon; Phillips; Reyna; Riddle; Seaman; Smith, W.; Smithee; Solomons; Swinford; Talton; Taylor; Van Arsdale; Wilson; Wong; Woolley; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Bailey; Keffer, B.; Moreno, J.; Paxton.

Absent — Hardcastle; Hilderbran.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 321. I intended to vote no.

Hartnett

When Record No. 321 was taken, my vote failed to register. I would have voted no.

Hilderbran

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence for the remainder of today because of important business in the district:

Hardcastle on motion of Geren.

POSTPONED BUSINESS

The following bills were laid before the house as postponed business:

CSHB 593 ON SECOND READING

(by Dukes)

CSHB 593, A bill to be entitled An Act relating to the eligibility of certain persons to contract with a state agency.

CSHB 593 was read second time earlier today and was postponed until 12:30 p.m.

Amendment No. 1

Representative Y. Davis offered the following amendment to **CSHB 593**:

Amend **CSHB 593** as follows:

(1) On page 1, line 5, between "(c)," and "and", insert "(d),".

(2) On page 1, line 7, strike "state agency" and substitute "governmental entity [~~state agency~~]".

(3) On page 1, line 24, strike "state agency" and substitute "governmental entity [~~state agency~~]".

(4) On page 2, line 1, strike "state" and substitute "governmental [~~state~~]".

(5) On page 2, lines 2 and 3, strike "state agency" and substitute "governmental entity [~~state agency~~]".

(6) On page 2, between lines 4 and 5, insert the following:

(d) This section does not create a cause of action to contest a bid or award of a governmental [~~state~~] contract.

(7) On page 2, line 5, strike "state agency" and substitute "governmental entity".

(8) On page 2, line 7, strike "state" and substitute "governmental".

Amendment No. 1 was adopted without objection.

Amendment No. 2

Representatives Y. Davis and J. Davis offered the following amendment to **CSHB 593**:

Amend **CSHB 593** by adding the following appropriately numbered section and renumbering subsequent sections as appropriate:

SECTION _____. Subchapter A, Chapter 2155, Government Code, is amended by adding Section 2155.006 to read as follows:

Sec. 2155.006. SUBCONTRACTOR PAYMENT. If a dispute arises regarding a contract between a governmental entity and a contractor, any subcontractor shall be paid for the work completed under the contract if the work has been satisfactorily completed by the subcontractor and approved by the contractor and the governmental entity.

Amendment No. 2 was adopted without objection.

CSHB 593, as amended, was passed to engrossment.

**HB 1458 ON SECOND READING
(by Eiland and Menendez)**

HB 1458, A bill to be entitled An Act relating to criminal obstruction of or retaliation against an honorably retired peace officer.

HB 1458 was read second time earlier today and was postponed until 1:00 p.m.

HB 1458 was passed to engrossment.

**GENERAL STATE CALENDAR
(consideration continued)**

**CSHB 1324 ON SECOND READING
(by B. Brown, Geren, and Miller)**

CSHB 1324, A bill to be entitled An Act relating to the sale and slaughter of equine animals.

(Keel in the chair)

Amendment No. 1

Representative Goodman offered the following amendment to **CSHB 1324**:

Amend **CSHB 1324** by striking existing SECTION 1 and substituting the following:

SECTION 1. Chapter 149, Agriculture Code, is amended by adding Section 149.0031 to read as follows:

Sec. 149.0031. DEFENSE. (a) It is a defense to prosecution under Section 149.002 or 149.003 that the horsemeat is:

(1) intended as food for human consumption only in a foreign country;
and

(2) from a horse certified by a veterinarian in this state as unfit for use as a working horse, recreational horse, or breeding horse.

(b) A person may not assert a defense under this section unless, within the time required by Section 148.012, the person files with the county clerk the record required under Section 148.012(c) and attaches to the record:

(1) a copy of the veterinarian's certificate; and

(2) a statement that includes:

(A) the name of the owner of the horse;

(B) the color, age, and sex of the horse; and

(C) any identifying marks on the horse.

Amendment No. 2

Representative Goodman offered the following amendment to Amendment No. 1:

Amend Amendment No. 1 by Goodman to **CSHB 1324**, on page 1 of the amendment, line 10, between "state as" and "unfit" by inserting "physically".

Amendment No. 2 was adopted without objection.

Representative B. Brown moved to table Amendment No. 1.

A record vote was requested.

The motion to table prevailed by (Record 322): 86 Yeas, 52 Nays, 2 Present, not voting.

Yeas — Allen; Baxter; Berman; Brown, B.; Brown, F.; Callegari; Campbell; Casteel; Chisum; Christian; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Denny; Deshotel; Driver; Dunnam; Edwards; Eissler; Elkins; Farabee; Flores; Flynn; Gattis; Geren; Goolsby; Griggs; Grusendorf; Gutierrez; Haggerty; Hamilton; Hamric; Harper-Brown; Heflin; Hegar; Hilderbran; Hill; Homer; Hope; Hopson; Howard; Hunter; Isett; Jones, D.; Jones, J.; Keffer, J.; Kolkhorst; Krusee; Kuempel; Mabry; Madden; Martinez Fischer; McClendon; McReynolds; Mercer; Miller; Morrison; Mowery; Nixon; Peña; Phillips; Pitts; Puente; Quintanilla; Reyna; Riddle; Ritter; Rose; Seaman; Smith, W.; Solis; Stick; Swinford; Talton; Taylor; Telford; Truitt; Van Arsdale; West; Wohlgemuth; Woolley; Zedler.

Nays — Alonzo; Bohac; Bonnen; Branch; Burnam; Canales; Capelo; Castro; Chavez; Davis, Y.; Delisi; Dukes; Dutton; Eiland; Ellis; Farrar; Gallego; Garza; Giddings; Goodman; Guillen; Hartnett; Hochberg; Hodge; Hughes; Hupp; Jones, E.; King; Laney; Laubenberg; Lewis; Luna; Menendez; Merritt; Moreno, P.; Naishtat; Noriega; Oliveira; Olivo; Pickett; Raymond; Rodriguez; Smith, T.; Solomons; Thompson; Turner; Uresti; Villarreal; Wilson; Wise; Wolens; Wong.

Present, not voting — Mr. Speaker; Keel(C).

Absent, Excused — Bailey; Hardcastle; Keffer, B.; Moreno, J.; Paxton.

Absent — Dawson; Marchant; McCall; Smithee.

A record vote was requested.

CSHB 1324 was passed by engrossment by (Record 323): 83 Yeas, 53 Nays, 3 Present, not voting.

Yeas — Allen; Baxter; Berman; Brown, B.; Brown, F.; Callegari; Campbell; Casteel; Chisum; Christian; Cook, B.; Cook, R.; Corte; Crownover; Davis, J.; Delisi; Denny; Deshotel; Driver; Dunnam; Edwards; Eissler; Elkins; Farabee; Flynn; Gallego; Gattis; Geren; Griggs; Grusendorf; Gutierrez; Haggerty; Hamilton; Hamric; Harper-Brown; Heflin; Hegar; Hilderbran; Hill; Homer; Hope; Hopson; Howard; Hunter; Isett; Jones, D.; Jones, E.; Jones, J.; Keffer, J.; Kolkhorst; Krusee; Kuempel; Mabry; Martinez Fischer; McReynolds; Mercer; Miller; Morrison; Mowery; Nixon; Peña; Phillips; Pitts; Puente; Quintanilla;

Riddle; Ritter; Rose; Seaman; Smith, W.; Smithee; Solis; Swinford; Talton; Taylor; Telford; Truitt; Van Arsdale; Wilson; Wise; Wohlgemuth; Woolley; Zedler.

Nays — Alonzo; Bohac; Bonnen; Branch; Burnam; Canales; Capelo; Castro; Coleman; Crabb; Davis, Y.; Dukes; Dutton; Eiland; Ellis; Farrar; Flores; Garza; Giddings; Goodman; Guillen; Hartnett; Hochberg; Hodge; Hughes; Hupp; King; Laney; Laubenberg; Luna; Marchant; McClendon; Menendez; Merritt; Moreno, P.; Naishtat; Noriega; Oliveira; Olivo; Pickett; Raymond; Reyna; Rodriguez; Smith, T.; Solomons; Stick; Thompson; Turner; Uresti; Villarreal; West; Wolens; Wong.

Present, not voting — Mr. Speaker; Goolsby; Keel(C).

Absent, Excused — Bailey; Hardcastle; Keffer, B.; Moreno, J.; Paxton.

Absent — Chavez; Dawson; Lewis; Madden; McCall.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 323. I intended to vote no.

Gallego

I was shown voting yes on Record No. 323. I intended to vote no.

J. Keffer

CSHB 21 ON SECOND READING (by Corte and Laubenberg)

CSHB 21, A bill to be entitled An Act relating to admission to and discharge from facilities for voluntary inpatient mental health services for persons younger than 18 years of age.

CSHB 21 was passed to engrossment.

HB 111 ON SECOND READING (by Chavez and Wohlgemuth)

HB 111, A bill to be entitled An Act relating to responsibility for payment for transport by ambulance of a recipient of medical assistance in certain circumstances.

HB 111 was passed to engrossment.

HB 162 ON SECOND READING (by Flores and Isett)

HB 162, A bill to be entitled An Act relating to the requirements for a petition to change the name of an adult.

HB 162 was passed to engrossment.

CSHB 177 ON SECOND READING
(by McCall and Castro)

CSHB 177, A bill to be entitled An Act relating to the regulation of certain international matchmaking organizations; providing a civil penalty.

CSHB 177 was passed to engrossment.

CSHB 219 ON SECOND READING
(by Hope, et al.)

CSHB 219, A bill to be entitled An Act relating to the display of the United States national motto in public elementary and secondary schools and institutions of higher education.

CSHB 219 was passed to engrossment.

HB 261 ON SECOND READING
(by Hupp, Delisi, Miller, and Riddle)

HB 261, A bill to be entitled An Act relating to the eligibility of armed forces personnel and their family members to pay tuition and fees at the rate provided to Texas residents.

HB 261 was passed to engrossment.

CSHB 298 ON SECOND READING
(by Miller)

CSHB 298, A bill to be entitled An Act relating to prohibiting the disclosure of personal customer information by the Parks and Wildlife Department.

Amendment No. 1

Representative Miller offered the following amendment to **CSHB 298**:

Amend **CSHB 298** (committee printing, on page 1, line 23), between "Subsection (a)" and the period, by inserting "that relates to a person who does not hold a commercial license issued by the department".

Amendment No. 1 was adopted without objection.

CSHB 298, as amended, was passed to engrossment.

CSHB 335 ON SECOND READING
(by Hamric, et al.)

CSHB 335, A bill to be entitled An Act relating to the public sale of certain real property; providing penalties.

CSHB 335 was passed to engrossment.

HB 405 ON SECOND READING
(by Miller, Hupp, Delisi, et al.)

HB 405, A bill to be entitled An Act relating to resident tuition for military personnel and their dependents.

HB 405 was passed to engrossment.

(J. Moreno now present)

HB 443 ON SECOND READING
(by Denny, et al.)

HB 443, A bill to be entitled An Act relating to providing notice concerning certain school district purchases.

Amendment No. 1

Representative Hill offered the following amendment to **HB 443**:

Amend **HB 443** as follows:

(1) On page 1, line 13, between "published" and "in", insert "using a reasonable font".

(2) On page 1, line 19, between "published" and "in", insert "using a reasonable font".

(3) On page 1, at the end of line 24, insert "The district shall include the Internet websites of the school district and the electronic procurement marketplace in its posting."

(4) Add the following appropriately numbered section and renumber any subsequent sections as appropriate:

SECTION _____. Section 44.031, Education Code, is amended by adding Subsection (g-1) to read as follows:

(g-1) Notwithstanding Subsection (g), if a school district determines that a sufficient number of bids, proposals, or responses have been received, the school district is not required to continue to post after the first week of posting.

Representative Denny moved to table Amendment No. 1.

A record vote was requested.

The motion to table was lost by (Record 324): 52 Yeas, 78 Nays, 2 Present, not voting.

Yeas — Allen; Baxter; Berman; Branch; Brown, F.; Campbell; Casteel; Corte; Crownover; Davis, J.; Denny; Driver; Eissler; Elkins; Flynn; Griggs; Grusendorf; Haggerty; Hamric; Harper-Brown; Hartnett; Hilderbran; Homer; Hope; Hopson; Hunter; Hupp; Isett; Jones, E.; Jones, J.; King; Krusee; Kuempel; Laubenberg; Luna; Madden; Marchant; Martinez Fischer; McCall; Menendez; Merritt; Morrison; Nixon; Phillips; Pitts; Reyna; Riddle; Solomons; Talton; Taylor; Truitt; Wise.

Nays — Alonzo; Bonnen; Brown, B.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Coleman; Cook, B.; Cook, R.; Crabb; Davis, Y.; Delisi; Deshotel; Dukes; Dunnam; Dutton; Eiland; Ellis; Farabee; Farrar; Flores; Gallego; Gattis; Geren; Giddings; Goodman; Goolsby; Guillen; Gutierrez; Hamilton; Hegar; Hill; Hochberg; Hodge; Howard; Hughes; Jones, D.; Keffer, J.; Kolkhorst; Laney; Mabry; McClendon; McReynolds; Mercer; Miller; Moreno, J.; Mowery; Naishtat; Olivo; Peña; Pickett; Puente; Quintanilla; Raymond; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Stick; Swinford; Telford; Thompson; Turner; Uresti; Van Arsdale; Villarreal; West; Wilson; Wohlgemuth; Woolley; Zedler.

Present, not voting — Mr. Speaker; Keel(C).

Absent, Excused — Bailey; Hardcastle; Keffer, B.; Paxton.

Absent — Bohac; Canales; Capelo; Dawson; Edwards; Garza; Heflin; Lewis; Moreno, P.; Noriega; Oliveira; Wolens; Wong.

STATEMENTS OF VOTE

When Record No. 324 was taken, I was in the house but away from my desk. I would have voted no.

Bohac

When Record No. 324 was taken, I was in the house but away from my desk. I would have voted no.

Garza

A record vote was requested.

Amendment No. 1 was adopted by (Record 325): 77 Yeas, 60 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Bohac; Burnam; Callegari; Campbell; Castro; Chavez; Chisum; Christian; Coleman; Cook, B.; Cook, R.; Corte; Davis, Y.; Deshotel; Dukes; Dunnam; Dutton; Edwards; Eiland; Ellis; Farabee; Farrar; Gallego; Gattis; Geren; Giddings; Goodman; Goolsby; Gutierrez; Hamilton; Heflin; Hegar; Hill; Hodge; Homer; Howard; Hughes; Jones, D.; Jones, J.; Keffer, J.; Kolkhorst; Laney; Lewis; Luna; Mabry; Martinez Fischer; McClendon; McReynolds; Miller; Moreno, J.; Mowery; Naishtat; Noriega; Oliveira; Olivo; Peña; Puente; Raymond; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Swinford; Telford; Thompson; Turner; Uresti; West; Wilson; Wohlgemuth; Wolens.

Nays — Baxter; Berman; Bonnen; Brown, B.; Brown, F.; Casteel; Crabb; Crownover; Davis, J.; Dawson; Delisi; Denny; Driver; Eissler; Elkins; Flores; Flynn; Griggs; Grusendorf; Guillen; Haggerty; Hamric; Harper-Brown; Hartnett; Hilderbran; Hochberg; Hope; Hopson; Hunter; Hupp; Isett; Jones, E.; King; Krusee; Kuempel; Laubenberg; Madden; Marchant; McCall; Menendez; Mercer; Merritt; Morrison; Nixon; Phillips; Pickett; Pitts; Quintanilla; Reyna; Riddle; Solomons; Stick; Talton; Taylor; Truitt; Van Arsdale; Villarreal; Wise; Woolley; Zedler.

Present, not voting — Mr. Speaker; Keel(C).

Absent, Excused — Bailey; Hardcastle; Keffer, B.; Paxton.

Absent — Branch; Canales; Capelo; Garza; Moreno, P.; Wong.

STATEMENTS OF VOTE

When Record No. 325 was taken, my vote failed to register. I would have voted no.

Branch

When Record No. 325 was taken, I was in the house but away from my desk. I would have voted yes.

Garza

HB 443, as amended, was passed to engrossment. (Howard recorded voting no)

CSHB 518 ON SECOND READING
(by Menendez)

CSHB 518, A bill to be entitled An Act relating to the service of citation by publication in a suit affecting the parent-child relationship.

Amendment No. 1

Representative Goodman offered the following amendment to **CSHB 518**:

Amend **CSHB 518** on page 1, line 11, between "Chapter 262" and the comma, by inserting "in which the first and last name of the respondent is unknown".

Amendment No. 1 was adopted without objection.

Amendment No. 2

Representative Puente offered the following amendment to **CSHB 518**:

Amend **CSHB 518** on page 1, line 11, between "Chapter" and "262" by inserting "161 or".

Amendment No. 2 was adopted without objection.

CSHB 518, as amended, was passed to engrossment. (B. Cook, Howard, and D. Jones recorded voting no)

CSHB 547 ON SECOND READING
(by Wohlgemuth)

CSHB 547, A bill to be entitled An Act relating to the distance between certain pits that are part of quarrying operations and adjacent property.

CSHB 547 was passed to engrossment.

HB 745 ON SECOND READING
(by T. Smith, Peña, and Zedler)

HB 745, A bill to be entitled An Act relating to the punishment prescribed for and conditions of community supervision imposed on certain persons who commit intoxication offenses.

HB 745 was passed to engrossment.

HB 769 ON SECOND READING
(by Solis, et al.)

HB 769, A bill to be entitled An Act relating to compensatory time off for certain communications service employees of the Department of Public Safety.

Representative Solis moved to postpone consideration of **HB 769** until 11 a.m. Monday, April 28.

The motion prevailed without objection.

HB 913 ON SECOND READING
(by Goodman and Dutton)

HB 913, A bill to be entitled An Act relating to the conservatorship of, and the possession of, and access to, a child.

Amendment No. 1

Representative Goodman offered the following amendment to **HB 913**:

Amend **HB 913** as follows:

(1) Add the following appropriately numbered section to the bill and renumber the sections of the bill accordingly:

SECTION __. Section 153.134(b), Family Code, is amended to read as follows:

(b) In rendering an order appointing joint managing conservators, the court shall:

(1) designate the conservator who has the exclusive right to determine the primary residence of the child and:

(A) establish, until modified by further order, a geographic area ~~[consisting of the county in which the child is to reside and any contiguous county thereto]~~ within which the conservator shall maintain the child's primary residence; or

(B) specify that the conservator may determine the child's primary residence without regard to geographic location;

(2) specify the rights and duties of each parent regarding the child's physical care, support, and education;

(3) include provisions to minimize disruption of the child's education, daily routine, and association with friends;

(4) allocate between the parents, independently, jointly, or exclusively, all of the remaining rights and duties of a parent as provided by Chapter 151; and

(5) if feasible, recommend that the parties use an alternative dispute resolution method before requesting enforcement or modification of the terms and conditions of the joint conservatorship through litigation, except in an emergency.

(2) On page 20, between lines 3 and 4, insert the following:

(f) The change in law made by this Act to Section 153.134(b), Family Code, applies only to a court order appointing joint managing conservators rendered on or after the effective date of this Act. A court order appointing joint managing conservators rendered before the effective date of this Act is governed by the law in effect on the date the order was rendered, and the former law is continued in effect for that purpose.

(3) On page 20, line 4, strike "(f)" and substitute "(g)".

Amendment No. 1 was adopted without objection.

HB 913, as amended, was passed to engrossment.

CSHB 975 ON SECOND READING
(by Puente)

CSHB 975, A bill to be entitled An Act relating to the plugging of abandoned or deteriorated water wells.

CSHB 975 was passed to engrossment.

CSHB 1077 ON SECOND READING
(by J. Jones and Y. Davis)

CSHB 1077, A bill to be entitled An Act relating to removal of remains interred in a cemetery.

Amendment No. 1

Representative J. Jones offered the following amendment to **CSHB 1077**:

Amend **CSHB 1077** as follows:

(1) On page 1, line 6, strike "Subsection (j)" and substitute "Subsections (j), (k), and (l)".

(2) On page 1, line 19, between "subsection" and the comma, insert "or Subsection (k)".

(3) On page 1, line 23, strike "necessitating" and substitute "described by Subsection (l) that necessitates".

(4) On page 1, line 24, strike "such as a circumstance in".

(5) On page 2, strike line 1 and substitute "the".

(6) On page 2, line 7, between "(a)-(d)" and "do", insert "and (k)".

(7) On page 3, between lines 5 and 6, insert the following:

(k) In an emergency circumstance described by Subsection (l) that necessitates immediate removal of remains before the date on which the court is required to hear an application for permission to remove remains under Subsection (d), a cemetery organization may remove remains from a plot in the cemetery and transfer the remains to another plot in the same cemetery without the court hearing. A cemetery association that removes remains under this subsection shall send written notice of the removal by certified mail, return receipt requested, to the last known address of the person designated under Subsection (a) not later than the fifth day after the date the remains are removed. The notice must indicate that the remains were removed, the reason for the removal of the remains, and the location of the reinterment of the remains.

(l) For purposes of Subsections (d) and (k), "emergency circumstance" means:

(1) a natural disaster; or

(2) an error in the interment of remains.

Amendment No. 1 was adopted without objection.

Amendment No. 2

Representative J. Jones offered the following amendment to **CSHB 1077**:

Amend **CSHB 1077** as follows:

(1) Strike page 2, lines 9-10, and substitute the following:

(1) from one plot to another plot in the same cemetery, if the cemetery:

(A) is a family, fraternal, or community cemetery that is not larger than 10 acres;

(B) is owned or operated by an unincorporated association of plot owners not operated for profit;

(C) is owned or operated by a church, a religious society or denomination, or an entity solely administering the temporalities of a church or religious society or denomination; or

(D) is a public cemetery owned by this state, a county, or a municipality;

(2) On page 2, line 11, strike "~~(2)~~" and substitute "(2)".

(3) On page 2, line 14, strike "(2) ~~(2)~~" and substitute "(3)".

(4) On page 2, line 16, strike "(3)" and substitute "(4)".

Amendment No. 2 was adopted without objection.

CSHB 1077, as amended, was passed to engrossment.

HB 1106 ON SECOND READING

(by Turner)

HB 1106, A bill to be entitled An Act relating to presumptions for state land records.

Representative Turner moved to postpone consideration of **HB 1106** until 11 a.m. Monday, April 28.

The motion prevailed without objection.

HB 1125 ON SECOND READING

(by Flores)

HB 1125, A bill to be entitled An Act relating to the period for the redemption of a mineral interest sold for unpaid ad valorem taxes at a tax sale.

HB 1125 was passed to engrossment.

HB 1146 ON SECOND READING

(by Dutton)

HB 1146, A bill to be entitled An Act relating to a limitation on audits of an open-enrollment charter school.

Amendment No. 1

Representative Dutton offered the following amendment to **HB 1146**:

Amend **HB 1146** as follows:

(1) On page 1, lines 14 and 15, between "one" and "financial", insert "on-site".

(2) On page 1, line 15, between "one" and "administrative", insert "on-site".

Amendment No. 1 was adopted without objection.

HB 1146, as amended, was passed to engrossment.

HB 1349 ON SECOND READING
(by Uresti)

HB 1349, A bill to be entitled An Act relating to developing and coordinating certain agency services and activities involving mental health care for young children.

HB 1349 was read second time on April 8, postponed until 10 a.m., April 22, and was again postponed until the end of the calendar on April 22.

Representative Solis moved to postpone consideration of **HB 1349** until 11 a.m. Monday, April 28.

The motion prevailed without objection.

HB 318 ON SECOND READING
(by Grusendorf)

HB 318, A bill to be entitled An Act relating to certification to teach school of individuals who hold bachelor's degrees.

HB 318 was passed to engrossment. (Alonzo, Bonnen, F. Brown, Campbell, R. Cook, Y. Davis, Deshotel, Dukes, Edwards, Ellis, Farabee, Farrar, Flores, Gallego, Garza, Guillen, Hamilton, Homer, D. Jones, Luna, McClendon, Menendez, Merritt, Oliveira, Olivo, Quintanilla, Raymond, Ritter, Rose, Thompson, Turner, and Wolens recorded voting no)

CSHB 2723 ON SECOND READING
(by Gutierrez)

CSHB 2723, A bill to be entitled An Act relating to alternative teaching certification of persons holding certain advanced academic degrees.

A record vote was requested.

CSHB 2723 was passed to engrossment by (Record 326): 79 Yeas, 54 Nays, 2 Present, not voting.

Yeas — Allen; Baxter; Berman; Bohac; Bonnen; Branch; Brown, B.; Campbell; Chisum; Christian; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Dawson; Delisi; Denny; Driver; Eiland; Eissler; Flores; Flynn; Gallego; Gattis; Geren; Goodman; Goolsby; Griggs; Grusendorf; Gutierrez; Hamric; Harper-Brown; Hartnett; Heflin; Hegar; Hilderbran; Hill; Hope; Howard; Hupp; Isett; Jones, D.; Jones, E.; Jones, J.; Keffer, J.; King; Kolkhorst; Krusee; Laney; Laubenberg; Madden; Marchant; McCall; Merritt; Morrison; Mowery; Nixon; Pitts; Reyna; Riddle; Seaman; Smith, T.; Smith, W.; Solomons; Stick; Swinford; Talton; Taylor; Truitt; Van Arsdale; West; Wilson; Wohlgemuth; Wolens; Wong; Woolley; Zedler.

Nays — Alonzo; Brown, F.; Burnam; Callegari; Casteel; Castro; Chavez; Coleman; Davis, Y.; Deshotel; Dukes; Dunnam; Dutton; Elkins; Ellis; Farabee; Farrar; Garza; Giddings; Guillen; Hamilton; Hochberg; Hodge; Homer; Hopson;

Hughes; Hunter; Kuempel; Luna; Mabry; Martinez Fischer; McClendon; McReynolds; Mercer; Miller; Moreno, J.; Naishtat; Noriega; Oliveira; Olivo; Peña; Phillips; Quintanilla; Raymond; Ritter; Rodriguez; Rose; Solis; Telford; Thompson; Turner; Uresti; Villarreal; Wise.

Present, not voting — Mr. Speaker; Keel(C).

Absent, Excused — Bailey; Hardcastle; Keffer, B.; Paxton.

Absent — Canales; Capelo; Edwards; Haggerty; Lewis; Menendez; Moreno, P.; Pickett; Puente; Smithee.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 326. I intended to vote no.

R. Cook

I was shown voting yes on Record No. 326. I intended to vote no.

Eiland

I was shown voting yes on Record No. 326. I intended to vote no.

Flores

I was shown voting yes on Record No. 326. I intended to vote no.

Gallego

HB 408 ON SECOND READING (by Miller)

HB 408, A bill to be entitled An Act relating to the liability of landowners for certain uses of their land.

HB 408 was passed to engrossment.

CSHB 411 ON SECOND READING (by Grusendorf)

CSHB 411, A bill to be entitled An Act relating to improvement of science instruction and student performance in public schools.

Amendment No. 1

On behalf of Representative Mowery, Representative Madden offered the following amendment to **CSHB 411**:

Amend **CSHB 411** as follows:

(1) On page 6, line 14, after "develop" insert "and have approved by the board".

Amendment No. 1 was adopted without objection.

CSHB 411, as amended, was passed to engrossment.

HB 1173 ON SECOND READING (by Madden, et al.)

HB 1173, A bill to be entitled An Act relating to the use of a building on a federal military base or facility as a polling place in an election.

HB 1173 was passed to engrossment.

HB 1202 ON SECOND READING
(by Dutton)

HB 1202, A bill to be entitled An Act relating to recovery of certain funds received by an open-enrollment charter school.

HB 1202 was passed to engrossment.

CSHB 1204 ON SECOND READING
(by Baxter)

CSHB 1204, A bill to be entitled An Act relating to the authority of municipalities and counties to regulate subdivisions and certain development in a municipality's extraterritorial jurisdiction.

Amendment No. 1

Representative Baxter offered the following amendment to **CSHB 1204**:

Amend **CSHB 1204** as follows:

(1) On page 1, line 15, between "(g)" and "to", insert "and adding Subsection (h)".

(2) On page 5, between lines 16 and 17, insert the following:

(h) This subsection applies only to a county to which Subsections (b)-(g) do not apply, except that this subsection does not apply to a county subject to Section 242.002. For an area in a municipality's extraterritorial jurisdiction, as defined by Section 212.001, a plat may not be filed with the county clerk without the approval of both the municipality and the county. If a municipal regulation and a county regulation relating to plats and subdivisions of land conflict, the more stringent regulation prevails. However, if one governmental entity requires a plat to be filed for the subdivision of a particular tract of land in the extraterritorial jurisdiction of the municipality and the other governmental entity does not require the filing of a plat for that subdivision, the authority responsible for approving plats for the governmental entity that does not require the filing shall issue on request of the subdivider a written certification stating that a plat is not required to be filed for that subdivision of the land. The certification must be attached to a plat required to be filed under this subsection.

Amendment No. 1 was adopted without objection.

Amendment No. 2

Representative Baxter offered the following amendment to **CSHB 1204**:

Amend **CSHB 1204** as follows:

(1) On page 1, line 19, strike "(b)-(e)" and substitute "(b)-(g) [(b)-(e)]".

(2) On page 5, line 11, between "regulation" and "adopted", insert "or agreement".

(3) On page 5, lines 12 and 13, strike "conflicts with a proposal or plan adopted" and substitute "establishes a plan for future roads that conflicts with a proposal or plan for future roads adopted".

Amendment No. 2 was adopted without objection.

Amendment No. 3

Representative Baxter offered the following amendment to **CSHB 1204**:

Amend **CSHB 1204** as follows:

(1) On page 1, line 13, between "reenacting" and "Subsection", insert "and amending".

(2) On page 2, line 3, between "subdivisions" and "in", insert "and approve related permits".

(3) On page 2, line 23, between "plat" and "filed", insert ", a plat application, or an application for a related permit".

(4) On page 2, line 24, between "municipality" and "or", insert "or the county".

(5) On page 2, line 24, after "212.009", insert "or Chapter 232".

(6) On page 2, line 26, strike "plat or any permit" and substitute "plat, ~~or~~ any permit, a plat application, or an application for a related permit".

Amendment No. 3 was adopted without objection.

Amendment No. 4

Representative Baxter offered the following amendment to **CSHB 1204**:

Amend **CSHB 1204** as follows:

(1) On page 1, line 13, between "reenacting" and "Subsection", insert "and amending".

(2) On page 2, line 15, between "incorporates." and "The", insert the following:

On reaching an agreement, the municipality and county shall certify that the agreement complies with the requirements of this chapter.

(3) On page 4, strike the underscored text on lines 9-22 and substitute the following:

If a certified agreement between a county and municipality as required by Subsection (c) is not in effect on or before January 1, 2004, the municipality and the county must enter into arbitration as provided by Section 242.0015. If the arbitrator or arbitration panel, as applicable, has not reached a decision in the 60-day period as provided by Section 242.0015, the county has exclusive authority to regulate plats and subdivisions and approve related permits in the extraterritorial jurisdiction of the municipality in accordance with Chapter 232 and other statutes applicable to counties. The county retains that exclusive authority only until the arbitrator or arbitration panel reaches a decision.

(4) On page 5, strike the sentence beginning on line 22 and substitute the following:

If a certified agreement between a county and municipality is not in effect on or before January 1, 2004, the parties must arbitrate the disputed issues.

(5) On page 5, line 27, after "section.", insert "An arbitration decision under this section is binding on the parties."

(6) On page 6, lines 8 and 9, strike "the effective date of this section" and substitute "the date the county and the municipality are required to have an agreement in effect under Section 242.001(f)".

(7) On page 6, line 12, between "only to the" and "authority", insert "disputed issues between the county and the municipality regarding the".

(8) On page 6, line 17, strike "The prevailing part of" and substitute "The party whose regulatory standards prevail in".

(9) On page 7, strike line 3.

Amendment No. 4 was adopted without objection.

Amendment No. 5

Representative Krusee offered the following amendment to **CSHB 1204**:

Amend **CSHB 1204** as follows:

(1) On page 1, between lines 9 and 10, insert the following SECTIONS to the bill and renumber the subsequent SECTIONS appropriately:

SECTION 2. (a) Section 242.001(a), Local Government Code, as amended by Chapters 736 and 1028, Acts of the 77th Legislature, Regular Session, 2001, is reenacted and amended to read as follows:

(a) This section applies only to a county operating under Sections 232.001-232.005 or Subchapter B, C, or E, Chapter 232, and a municipality that has extraterritorial jurisdiction in that county. Subsections (b)-(e) do not apply:

(1) within a county that contains extraterritorial jurisdiction of a municipality with a population of 1.9 million or more; or

(2) within a county within 50 miles of an international border, or to which Subchapter C, Chapter 232, applies.

(b) This section takes effect only if House Bill No. 1197, Acts of the 78th Legislature, Regular Session, 2003, does not become law. If that bill becomes law, this section has no effect.

SECTION 3. (a) Section 242.001(a), Local Government Code, as amended by Chapters 736 and 1028, Acts of the 77th Legislature, Regular Session, 2001, is reenacted and amended to read as follows:

(a) This section applies only to a county operating under Sections 232.001-232.005 or Subchapter B, C, or E, Chapter 232, and a municipality that has extraterritorial jurisdiction in that county. Subsections (b)-(e) do not apply:

(1) within a county that contains extraterritorial jurisdiction of a municipality with a population of 1.9 million or more; ~~or~~

(2) within a county within 50 miles of an international border, or to which Subchapter C, Chapter 232, applies; or

(3) to a tract of land subject to a development agreement under Subchapter G, Chapter 212, or other provisions of this code.

(b) This section takes effect only if House Bill No. 1197, Acts of the 78th Legislature, Regular Session, 2003, becomes law. If that bill does not become law, this section has no effect.

(2) On page 1, lines 11-13, strike "(a), as amended by Chapters 736 and 1028, Acts of the 77th Legislature, Regular Session, 2001, by reenacting Subsection".

(3) Strike page 1, line 16, through page 2, line 1.

Amendment No. 5 was adopted without objection.

CSHB 1204, as amended, was passed to engrossment.

HB 1283 ON SECOND READING**(by Nixon)**

HB 1283, A bill to be entitled An Act relating to notice to the State of Texas of a claim against the School Land Board.

Representative Nixon moved to postpone consideration of **HB 1283** until 10 a.m. Wednesday, April 30.

The motion prevailed without objection.

HB 1370 ON SECOND READING**(by Luna)**

HB 1370, A bill to be entitled An Act relating to the study and implementation of seawater desalination.

HB 1370 was passed to engrossment.

HB 1420 ON SECOND READING**(by Hardcastle and Christian)**

HB 1420, A bill to be entitled An Act relating to the use of a portion of medical school tuition for student loan repayment assistance for physicians.

Amendment No. 1 (Committee Amendment No. 1)

Representative Chavez offered the following committee amendment to **HB 1420**:

Amend **HB 1420** on page 1, by striking lines 16 and 17, and substituting the following:

"depressed or ~~rural~~ medically underserved areas of the state as designated by the United States Department of Health and Human Services [specified by this subchapter]. Section [Sections 403.094(h) and]"

Amendment No. 1 was adopted without objection.

HB 1420, as amended, was passed to engrossment.

CSHB 1542 ON SECOND READING**(by Puente and Mercer)**

CSHB 1542, A bill to be entitled An Act relating to discounts or other forms of pricing flexibility for telecommunications services.

Representative Puente moved to postpone consideration of **CSHB 1542** until 11 a.m. Monday, April 28.

The motion prevailed without objection.

CSHB 3413 ON SECOND READING**(by Krusee)**

CSHB 3413, A bill to be entitled An Act relating to the funding of toll facilities.

Representative Krusee moved to postpone consideration of **CSHB 3413** until 10 a.m. Tuesday, May 13.

The motion prevailed without objection.

HB 3484 ON SECOND READING

(by Delisi and Uresti)

HB 3484, A bill to be entitled An Act relating to health care coverage and services and other infrastructures for employed persons with disabilities.

HB 3484 was passed to engrossment.

CSHB 1199 ON SECOND READING

(by Krusee, McCall, Driver, Denny, Hamilton, et al.)

CSHB 1199, A bill to be entitled An Act relating to local option elections for the sale of alcoholic beverages; providing a criminal penalty.

CSHB 1199 was passed to engrossment.

HR 896 - ADOPTED

(by Riddle)

Representative Riddle moved to suspend all necessary rules to take up and consider at this time **HR 896**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 896, Congratulating Dr. Damon Shook on his 25th pastoral anniversary at Champion Forest Baptist Church in Houston.

HR 896 was adopted without objection.

On motion of Representative Harper-Brown, the names of all the members of the house were added to **HR 896** as signers thereof.

HCR 205 - ADOPTED

(by Wise)

Representative Wise moved to suspend all necessary rules to take up and consider at this time **HCR 205**.

The motion prevailed without objection.

The following resolution was laid before the house:

HCR 205, Designating April 20-26, 2003, as Minority Cancer Awareness Week in Texas.

HCR 205 was adopted without objection.

On motion of Representative Deshotel, the names of all the members of the house were added to **HCR 205** as signers thereof.

FIVE DAY POSTING RULE SUSPENDED

Representative Mowery moved to suspend the five day posting rule to allow the Committee on Land and Resource Management to consider **SB 640** and **SB 1603**.

The motion prevailed without objection.

**PROVIDING FOR A LOCAL, CONSENT,
AND RESOLUTIONS CALENDAR**

Representative Reyna moved to set a local, consent, and resolutions calendar for 9 a.m. Friday, April 25.

The motion prevailed without objection.

FIVE DAY POSTING RULE SUSPENDED

Representative Flores moved to suspend the five day posting rule to allow the Committee on Licensing and Administrative Procedures to consider **HB 2880**.

The motion prevailed without objection.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Licensing and Administrative Procedures, upon adjournment today, Desk 99, for a formal meeting, to consider **HB 1407**.

Licensing and Administrative Procedures, 8 a.m. tomorrow, E2.012, for a public hearing, to consider **HB 2880** and other pending business.

Agriculture and Livestock, meeting scheduled for 8 a.m. tomorrow has been rescheduled until adjournment tomorrow, for a public hearing.

Business and Industry, 5 p.m. today, E1.026, for a public hearing, to consider **HB 1230**, **HB 2180**, **HB 3000**, and bills previously posted.

FIVE DAY POSTING RULE SUSPENDED

Representative Marchant moved to suspend the five day posting rule to allow the Committee on State Affairs to consider **SB 7**.

The motion prevailed without objection.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

State Affairs, will reconvene yesterday's posted meeting at 5 p.m., E1.014.

Rules and Resolutions, upon adjournment today, Desk 133, for a formal meeting.

Government Reform, upon adjournment today, Desk 108, for a formal meeting, to consider **HB 3208** and pending business.

Transportation, upon adjournment today, Desk 46, for a formal meeting, to consider legislation before the committee.

FIVE DAY POSTING RULE SUSPENDED

Representative Talton moved to suspend the five day posting rule to allow the Committee on Urban Affairs to consider **HB 3592**.

The motion prevailed without objection.

Representative Hartnett moved to suspend the five day posting rule to allow the Committee on Judicial Affairs to consider **HB 644**.

The motion prevailed without objection.

HB 3607 - PERMISSION TO INTRODUCE

Representative Hilderbran requested permission to introduce and have placed on first reading **HB 3607**.

A record vote was requested.

Permission to introduce was granted by (Record 327): 131 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Baxter; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Callegari; Capelo; Casteel; Castro; Chavez; Chisum; Christian; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, Y.; Dawson; Delisi; Denny; Deshotel; Driver; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Ellis; Farabee; Farrar; Flores; Flynn; Gallego; Garza; Gattis; Geren; Giddings; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Haggerty; Hamilton; Hamric; Harper-Brown; Hartnett; Heflin; Hegar; Hilderbran; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Isett; Jones, D.; Jones, E.; Jones, J.; Keffer, J.; King; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Lewis; Luna; Mabry; Madden; Marchant; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Mercer; Merritt; Miller; Moreno, J.; Morrison; Mowery; Naishtat; Nixon; Olivo; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Raymond; Reyna; Riddle; Ritter; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Stick; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Uresti; Van Arsdale; Villarreal; West; Wilson; Wise; Wohlgemuth; Wolens; Wong; Woolley; Zedler.

Present, not voting — Mr. Speaker; Keel(C).

Absent, Excused — Bailey; Hardcastle; Keffer, B.; Paxton.

Absent — Burnam; Campbell; Canales; Davis, J.; Dukes; Gutierrez; Moreno, P.; Noriega; Oliveira; Rodriguez; Rose; Telford.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

County Affairs, upon adjournment today, E2.016, for a public hearing, to complete today's posted agenda.

State Cultural and Recreational Resources, upon adjournment today, Desk 69, for a formal meeting, to consider pending business.

REGULAR ORDER OF BUSINESS SUSPENDED

On motion of Representative Edwards and by unanimous consent, the reading and referral of bills was postponed until just prior to adjournment.

COMMITTEES GRANTED PERMISSION TO MEET

Pursuant to House Rule 4, Section 9, Representative Edwards requested permission for those house committees and subcommittees that are scheduled to meet this afternoon to meet while the house is in session, and for those committees and subcommittees that are scheduled to meet on adjournment, adjournment shall be considered the time that the house adjourns pending reading and referral of bills.

Permission to meet was granted without objection.

PROVIDING FOR ADJOURNMENT

Representative Edwards moved that, at the conclusion of the reading of bills and resolutions on first reading and referral to committees, the house adjourn until 10 a.m. tomorrow.

The motion prevailed without objection.

**BILLS AND JOINT RESOLUTIONS ON FIRST READING
AND REFERRAL TO COMMITTEES
RESOLUTIONS REFERRED TO COMMITTEES**

Bills and joint resolutions were at this time laid before the house, read first time, and referred to committees. Resolutions were at this time laid before the house and referred to committees. (See the addendum to the daily journal, Referred to Committees, List No. 1.)

(Van Arsdale in the chair)

HB 1 - STATEMENT OF VOTE

I had to return to Galveston for the birth of my twins and was not present for numerous votes on amendments. I was also not present for the vote on **HB 1**. If I had been present, I would have voted no on **HB 1**.

Eiland

ADJOURNMENT

In accordance with a previous motion, the house, at 4:55 p.m., adjourned until 10 a.m. tomorrow.

ADDENDUM

REFERRED TO COMMITTEES

The following bills and joint resolutions were today laid before the house, read first time, and referred to committees, and the following resolutions were today laid before the house and referred to committees. If indicated, the chair today corrected the referral of the following measures:

List No. 1

HB 3593 (By Gallego), Relating to changing the boundaries of Hudspeth County Underground Water Conservation District No. 1.

To Natural Resources.

HB 3594 (By Gattis), Relating to the creation, administration, powers, duties, operation, and financing of the Williamson County Municipal Utility District No. 14.

To Natural Resources.

HB 3595 (By Chavez), Relating to the statutory county courts in El Paso County.

To Judicial Affairs.

HB 3596 (By Chavez), Relating to the contracting authority of certain hospital districts to enter into or modify a tax abatement agreement.

To County Affairs.

HB 3597 (By Dawson), Relating to the abolition of the County Court at Law of Matagorda County.

To Judicial Affairs.

HB 3598 (By Smithee), Relating to the Randall County Juvenile Board.

To Juvenile Justice and Family Issues.

HB 3599 (By Kuempel), Relating to the management of deer and land with deer populations under management plans approved by the Parks and Wildlife Department.

To State Cultural and Recreational Resources.

HB 3600 (By King), Relating to jurisdiction, practice, and procedures of county courts at law in Parker County and to the creation of the County Court at Law No. 2 of Parker County.

To Judicial Affairs.

HB 3601 (By Hopson), Relating to the creation, administration, powers, duties, operation, and financing of the Houston County Groundwater Conservation District.

To Natural Resources.

HB 3602 (By Bonnen), Relating to the creation, administration, powers, duties, operation, and financing of the Brazoria County Groundwater Conservation District.

To Natural Resources.

HB 3603 (By T. Smith), Relating to the appointment or election of judges of municipal courts of record in the City of Bedford.

To Judicial Affairs.

HB 3604 (By Homer), Relating to the board of directors of the Hopkins County Hospital District.

To County Affairs.

HCR 201 (By Gallego), Congratulating U.S. Olympian Todd Hays of Del Rio.

To Rules and Resolutions.

HCR 207 (By Lewis), Honoring Gilda Molina Marquez of J. L. Long Middle School as Teacher of the Year.

To Rules and Resolutions.

HR 783 (By Farabee), Honoring the Episcopal School of Wichita Falls for 49 years of academic excellence.

To Rules and Resolutions.

HR 784 (By B. Cook), Congratulating Russell Emmons of Freestone County on the selection of the Emmons Rafter E Ranch for inclusion in the Family Land Heritage Program of the Texas Department of Agriculture.

To Rules and Resolutions.

HR 785 (By B. Cook), Congratulating Naomi Ridgway of Navarro County on the selection of Ridgway Farms for inclusion in the Family Land Heritage Program of the Texas Department of Agriculture.

To Rules and Resolutions.

HR 786 (By R. Cook), In memory of Ignacio "Joe" Vallejo, Jr., of El Campo.

To Rules and Resolutions.

HR 787 (By R. Cook), In memory of D. L. Alford, Jr., of Caldwell.

To Rules and Resolutions.

HR 788 (By R. Cook), In memory of the Honorable I. J. Irvin, Jr., of Glen Flora.

To Rules and Resolutions.

HR 789 (By R. Cook), In memory of the Honorable Elmer A. Struss, former mayor of Eagle Lake.

To Rules and Resolutions.

HR 790 (By R. Cook), In memory of Evelyn "Biddy" Moser of Louise, Texas.

To Rules and Resolutions.

HR 791 (By R. Cook), In memory of John Anton Hajovsky of Weimar.

To Rules and Resolutions.

HR 792 (By R. Cook), In memory of Raymond Frank "Buddy" Rau of Columbus.

To Rules and Resolutions.

HR 793 (By Wise), Honoring Mike and Esmeralda "Lala" Givilancz of Weslaco on their 50th wedding anniversary.

To Rules and Resolutions.

HR 794 (By Wise), Honoring Catherine Gonzales for winning the Hidalgo/Starr counties regional spelling bee.

To Rules and Resolutions.

HR 795 (By Wise), Commending the Mercedes school district dual language instruction program for receiving a perfect score from the Texas Education Agency in the area of bilingual education.

To Rules and Resolutions.

HR 796 (By Wise), Honoring Proyecto Azteca of San Juan for its service to colonia residents and migrant families.

To Rules and Resolutions.

HR 797 (By T. Smith), Honoring the Texas Council of Child Welfare Boards on the occasion of its 25th anniversary.

To Rules and Resolutions.

HR 798 (By Goolsby), In memory of Detective William James "Bill" Carollo of Euless.

To Rules and Resolutions.

HR 799 (By Goolsby), In memory of Robert Lawson Ivy of Dallas.

To Rules and Resolutions.

HR 800 (By Goolsby), In memory of Sam Attlesley of Austin.

To Rules and Resolutions.

HR 802 (By Farabee), Honoring the Zavala Hispanic Cultural Initiative and the Zavala Hispanic Cultural Center of Wichita Falls.

To Rules and Resolutions.

HR 803 (By Ritter), Honoring Pamela A. Carley on her retirement from the Texas Department of Mental Health and Mental Retardation.

To Rules and Resolutions.

HR 804 (By Geren), In memory of Marine Corporal Jesus Martin "Marty" Antonio Medellin of Fort Worth.

To Rules and Resolutions.

HR 808 (By Chavez), Honoring Dr. Carlos Morales for his contributions to the Texas Tech University Health Sciences Center at El Paso.

To Rules and Resolutions.

HR 809 (By Chavez), Honoring Dr. Edward Saltzstein for his contributions to the Texas Tech University Health Sciences Center at El Paso.

To Rules and Resolutions.

HR 810 (By Chavez), Honoring Dr. Billy Dean Reeves for his contributions to the Texas Tech University Health Sciences Center at El Paso.

To Rules and Resolutions.

HR 811 (By Chavez), Honoring Olga Ortega for her contributions to the Texas Tech University Health Sciences Center at El Paso.

To Rules and Resolutions.

HR 812 (By Chavez), Honoring Dr. William Scragg for his contributions to the Texas Tech University Health Sciences Center at El Paso.

To Rules and Resolutions.

HR 813 (By Chavez), Honoring David Porras for his contributions to the Texas Tech University Health Sciences Center at El Paso.

To Rules and Resolutions.

HR 814 (By Chavez), Honoring Yvonne Carrillo for her efforts in behalf of the Texas Tech University Health Sciences Center at El Paso.

To Rules and Resolutions.

HR 815 (By Chavez), Honoring the memory of the late H. Robert Misenhimer, M.D., for his contributions to the Texas Tech University Health Sciences Center at El Paso.

To Rules and Resolutions.

HR 816 (By Chavez), Honoring Dr. William Gordon McGee for his exemplary contributions in behalf of the Texas Tech University Health Sciences Center at El Paso.

To Rules and Resolutions.

HR 817 (By Chavez), Honoring Thelma Rodriguez for her contributions to the Texas Tech University Health Sciences Center at El Paso.

To Rules and Resolutions.

HR 818 (By Chavez), Honoring Dr. Raymond Baggett for his contributions to the Texas Tech University Health Sciences Center at El Paso.

To Rules and Resolutions.

HR 819 (By Chavez), Honoring Maria Wulf for her efforts in behalf of the Texas Tech University Health Sciences Center at El Paso.

To Rules and Resolutions.

HR 820 (By Chavez), Honoring Lloyd Mark for his efforts in behalf of the Texas Tech University Health Sciences Center at El Paso.

To Rules and Resolutions.

HR 821 (By Chavez), Honoring Dr. Jose Manuel de la Rosa for his exemplary contributions in behalf of the Texas Tech University Health Sciences Center at El Paso.

To Rules and Resolutions.

HR 822 (By Chavez), Honoring Dr. J. Robert Brown for his exemplary contributions in behalf of the Texas Tech University Health Sciences Center at El Paso.

To Rules and Resolutions.

HR 823 (By Chavez), Honoring the memory of the late Judson F. Williams for his contributions to the Texas Tech University Health Sciences Center at El Paso.

To Rules and Resolutions.

HR 824 (By Chavez), Honoring Maria Elena A. Flood for her service in behalf of the Texas Tech University Health Sciences Center at El Paso.

To Rules and Resolutions.

HR 825 (By Chavez), Honoring Dr. David R. Smith for his service in behalf of the Texas Tech University Health Sciences Center at El Paso.

To Rules and Resolutions.

HR 826 (By Chavez), Honoring Kathleen Rodriguez on her selection as The University of Texas at El Paso's softball coach.

To Rules and Resolutions.

HR 827 (By Chavez), Honoring Jose I. Quintana of El Paso for his service to his country.

To Rules and Resolutions.

HR 828 (By Y. Davis), Congratulating the Oak Cliff Tribune on being named a 2003 Good Samaritan by the DBU-Oak Cliff Partnership.

To Rules and Resolutions.

HR 829 (By Y. Davis), Congratulating Tiffany Jackson of Duncanville High School on being named 2003 Gatorade Texas High School Female Basketball Player of the Year.

To Rules and Resolutions.

HR 831 (By Y. Davis), Honoring Jeffrey Dill for his outstanding high school performance and enlistment in the U.S. Army.

To Rules and Resolutions.

HR 833 (By Kolkhorst and Ellis), Honoring Texas correctional officers during National Correctional Officers and Employees Week, May 4-10, 2003.

To Rules and Resolutions.

HR 834 (By Kolkhorst), Congratulating the members of the Sam Houston State University men's basketball team on winning the Southland Conference regular season and tournament championships during the 2002-2003 season.

To Rules and Resolutions.

HR 835 (By Kolkhorst), Congratulating Sam Houston State University head basketball coach Bob Marlin on his notable achievements.

To Rules and Resolutions.

HR 836 (By Berman), Honoring Floyd Trammel of Tyler for his service as chairman of the board of the Texas Nursery and Landscape Association.

To Rules and Resolutions.

HR 837 (By Dutton), In memory of Dwight Dean Christopher of Austin.

To Rules and Resolutions.

HR 838 (By Hunter), Honoring Paul Carrozza of Austin, owner of RunTex.

To Rules and Resolutions.

HR 839 (By Hunter), Honoring Kevin Pyeatt of Abilene for being named Officer of the Year by the Abilene Crime Stoppers organization.

To Rules and Resolutions.

HR 840 (By Farrar), Honoring Texas artist Dixie Friend Gay.

To Rules and Resolutions.

SB 60 to Human Services.

SB 277 to Licensing and Administrative Procedures.

SB 286 to Higher Education.

SB 422 to Insurance.

SB 521 to Financial Institutions.

SB 718 to Public Health.

SB 732 to Regulated Industries.

SB 876 to Financial Institutions.

SB 938 to Defense Affairs and State-Federal Relations.

SB 966 to Ways and Means.

SB 1094 to Natural Resources.

SB 1488 to Public Education.

SB 1510 to Public Education.

MESSAGE FROM THE SENATE

The following message from the senate were today received by the house:

Message No. 1

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Wednesday, April 23, 2003

The Honorable Speaker of the House
House Chamber
Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

HCR 210 Uresti SPONSOR: Nelson
Designating April 23, 2003, as Long-Term Care Ombudsman Day in Texas.

Respectfully,
Patsy Spaw
Secretary of the Senate

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

April 22

Border and International Affairs - **HB 1653, HB 2448, HB 2450, HB 2976, HB 3221, HB 3282, HB 3297, HB 3303, HB 3376, HB 3377, HB 3381, HB 3420, HCR 186**

Business and Industry - **HB 208, HB 2388, SB 235**

Criminal Jurisprudence - **HB 512**

Energy Resources - **HB 1843**

Ethics, Select - **HB 1606**

Government Reform - **HB 3074, HB 3235, HB 3242, SB 394**

Higher Education - **HB 85, HB 757, HB 1621, HB 1824, HB 1912, HB 2379, HB 2447, HB 2457, HB 2522, HB 3350, HB 3425**

Human Services - **HB 867, HB 1686, HB 1869, HB 2058, HB 2866, HB 2886**

Insurance - **HB 814**

Land and Resource Management - **HB 649**

Law Enforcement - **HB 57, HB 155, HB 982, HB 1034, HB 1368, HB 1661, HB 1663, HB 2078, HB 2086, HB 2223, HB 2685, HB 2829, HB 2881, SB 117, SB 146, SB 165, SB 461**

Licensing and Administrative Procedures - **HB 1008, HB 1315, HB 1692, HB 1790, HB 1813, HB 2056, HB 2543, SB 260**

Local Government Ways and Means - **HB 136, HB 390, HB 893, HB 1082, HB 1223, HB 1951, HB 1980, HB 3291, HB 3534, HJR 16**

Natural Resources - **HB 919**

Public Health - **HB 1886, HB 1952, HB 3014, HB 3162, HB 3535**

Regulated Industries - **HB 2576**

State Affairs - **HB 133, HB 425, HB 432, HB 475, HB 1015, HB 1053, HB 1166, HB 1576, HB 1655, HB 1719, HB 2040, HB 2041, HB 2128, HB 2455, HB 2550, HB 2622, HB 2769, HB 3414, HB 3415, HB 3416, HJR 15**

Transportation - **HB 431, HB 1039**

ENGROSSED

April 22 - HB 1